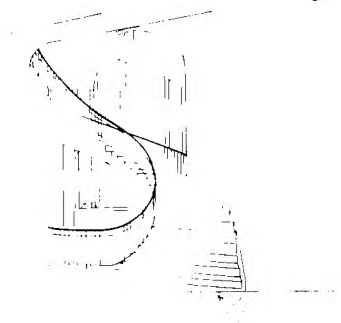


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JOURNAL

OF THE

SENATE

OF THE

State of Georgia,

AT AN ANNUAL SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD
AT MILLEDGEVILLE, THE SEAT OF GOVERNMENT,
IN NOVEMBER AND DECEMBER,

1816.

MILLEDGEVILLE:
S. & F. GRANTLAND—STATE-PRINTERS.

From the county of Madison—The Hon. Charles Sorrels.

From the county of Emanuel—The Hon. Stephen Swain.

From the county of Richmond—The Hon. Valentine Walker.

From the county of Twiggs—The Hon. Ezekiel Williams.

The Hon. John Foster was nominated and took the Chair, and a constitutional majority of the Senate being present, proceeded by ballot to the choice of their President, and on counting out the votes, it appeared that the Hon. William Rabun was unanimously chosen.

They also proceeded to the choice of their Secretary, and on counting out the votes, it appeared that Will. Robertson was chosen.

From the county of Bulloch, came the Hon. Samuel Lockheart, produced his credentials, and the usual oath being administered to him by the President of Senate, took his seat.

The Senate proceeded by ballot to the choice of their Messenger and Door Keeper, and on counting out the votes it appeared, that Henry Williams was duly elected Messenger, and Alex'r. Greene, Door Keeper.

Adjourned 'till 10 o'clock tomorrow morning.

TUESDAY, 5th November, 1816.

From the county of Effingham, came the Hon. George G. Nowland; from the county of Burke, the Hon. William Byne; and from the county of Camden, the Hon. John Hardee, who severally were sworn by the President of Senate, and took their seats.

The Senate proceeded to the choice of permanent seats, and took them respectively.

On motion of Mr. Foster.

Resolved, That the rules of Senate of the last year be established, for the government of the Senate the present session, until altered—whereupon the rules of last session were read and the resolution agreed to.

On motion of Mr. Foster,

Resolved, That the Secretary inform the House of Representatives that the Senate is now organized—have made choice of the honorable William Rabun their President, and Will. Robertson, Esqr. their Secretary, and are ready to proceed to business.

On motion of Mr. Swain,

Resolved, That a committee on privileges and elections be appointed, and that the returns from each county be laid before them:

Ordered, that Messrs. Swain, Hardin and Hopkins, be that committee.

A message from the House of Representatives by Mr. Turner, their Clerk.

Mr. President,

I am directed to inform the Senate, that the House

of Representatives are now organized, having chosen the Hon. Benjamin Whitaker their Speaker, and William Turner, Esq. their Clerk, and are ready to proceed to business, and he withdrew.

On motion of Mr. Hardin,

Resolved, That a committee be appointed on the part of the Senate, to join such as may be appointed by the House of Representatives, to wait on his excellency the Governor, and inform him the General Assembly are organized, and are ready to receive his communication.

Ordered, That Messrs. Hardin, Lamar, and Montgomery be the committee.

On motion of Mr. Hardin,

Resolved, That a committee be appointed on the part of Senate to join such committee as may be appointed by the House of Representatives, to compose the committee on the State of the Republic.

Ordered, that Messrs. Hardin, Kell, Blackshear, Montgomery, Hopkins, Lamar and Thos. Mitchell, be the committee on part of Senate.

On motion of Mr. Hudspeth,

Resolved, That a committee be appointed on the part of Senate, to join such committee as may be appointed on the part of the House of Representatives, to compose a committee on Finance.

Ordered, that Messrs. Hudspeth, Foster, Nowlan, Pray, Byne, Walker and Harris be that committee.

On motion of Mr. Nowland,

Resolved, that a committee be appointed on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to compose a joint committee of Enrolment.

Ordered, that Messrs. Nowlan, Newsome and Henry, be that committee on the part of Senate.

On motion of Mr. Newsome,

Resolved, That a committee be appointed on the part of Senate to compose a joint committee to contract for the printing of the Laws and Journals, for the political year, 1816.

Ordered, that Messrs. Newsome, Lamar, and Cleveland, be the committee on the part of Senate.

A message from the House or Representatives, by Mr. Turner, their Clerk:

Mr. President,

I am directed to inform the Senate, that in consequence of the indisposition and absence of the Speaker, that they have chosen Benjamin Williams, Esq'r. Speaker, *pro-tem*. and he withdrew.

Mr. Hardin, from the joint committee to wait on his Excellency the Governor reported, that his Excellency would lay his communication before this branch of the Legislature, at 12 o'clock this day.

On motion of Mr. Hogg,

Resolved, that a committee be appointed to make such claim, demand or request, on the United States, as they may think proper, for a further addition of Territory, agreeably to articles of agreement entered into on the

24th day of April, 1802, between the Commissioners of the State of Georgia on the one part, and the Commissioners of the United States on the other part, by which agreement the United States appear to stand bound to relinquish for the use of Georgia, as early as the same can be peaceably obtained on reasonable terms, the Indian title to a certain tract of land or territory, pointed out by the said Commissioners, and that the committee report as soon may be.

Ordered to lie on the table.

A message from the House of Representatives, by Mr. Turner, their Clerk :

Mr. President,

The House of Representatives have passed the following resolution :

Resolved, That the Senate will convene in the Representative Chamber on Thursday next, at one o'clock, for the election by joint ballot of the Judges for the several Judicial districts of the State, and an Attorney General, and three Solicitors—and he withdrew.

The Senate took up the message, which being read was amended, strike out "the Senate," and insert "both branches of the Legislature," and concurred in as amended—ordered that the Secretary do carry this resolution to the House of Representatives, for their concurrence to the amendment.

On motion of Mr. Newsome,

Resolved, That a committee be appointed to see that the Journals of the Senate are correctly recorded during the present session.

Ordered, that Messrs. Newsome, Beasley and Cul-
lens, be that committee.

Mr. Foster, notified the senate that he will to-morrow move for the appointment of a committee to report a bill, to be entitled an act to authorise Notly Whitcombe to build a Merchant Mill adjoining his own land on Savannah river.

Mr. Harris, notified the Senate that he will on to-morrow move for a committee to prepare and report a bill, to alter and amend the twelfth section of the first article of the constitution of this state.

A message from His Excellency the Governor, by his secretary, Mr. Heath :

Mr. President,

I am directed by his Excellency the Governor, to lay before this Branch of the Legislature, his Communication, with the accompanying Documents—and he withdrew.

The Senate took up the message, and the following Communication being read, to wit :

EXECUTIVE DEPARTMENT, GEORGIA,
MILLEDGEVILLE, 5th November, 1815. }

*Fellow-Citizens of the Senate,
and House of Representatives,*

WHEN we contemplate the present condition of other

nations, and contrast their situation with our own, what sentiments of gratitude does it not inspire to that divine providence under whose protection and indulgence we enjoy so many blessings, of which it is their unhappy lot to be deprived ?

In Europe, military depotism occupies the place of civil liberty, and in many instances aggravated by bigotry and religious intolerance, tramples under foot the sacred rights of man : Nor is the condition of the greater part of Asia less wretched, whilst at least two thirds of the miserable inhabitants of Africa are lost, as it were, in one eternal night of gross ignorance, superstition and paganism ; and the rest have for centuries past, subsisted by the precarious and licentious means of piracy and plunder. In turning our eyes from those scenes of despotism, ignorance, superstition and rapine, our sympathy is excited in behalf of the struggling sons of liberty in the Spanish possessions on our own continent ; nor will the amicable relations subsisting between our government and that of old Spain, forbid the hope, that their efforts may be crowned with success.

In our happy country, the government of which is founded upon the basis of equal rights, and where the military is subordinate to the civil authority ; and merit is the only sure passport to distinction and office, the efforts of one of the most powerful nations on earth in attempting to enforce their illegitimate pretensions to control our commerce, and regulate our intercourse with foreign nations at their will, has only served to exalt the American character to proud eminence, to cement our union, unfould our resources and falsify the assertion, that our constitution had not sufficient energy to maintain the independence of the nation. But whilst theorists and the advocates of monarchy are indulging themselves in the belief of the weakness of our system, it is both our pride and happiness to know, that our gallant army and navy, although as it were, in their infancy, and composed of citizens hastily collected from the private walks of life, and unaccustomed to military discipline, gave the enemy, in our recent contest, such proofs of republican energy, as made them glad to withdraw their royal mercenaries from the conflict, under a succession of disasters which confounded themselves, and astonished all Europe.

The nation now reposing in the lap of peace, enjoying a much larger share of prosperity and happiness than any other people on earth, we ought not to be unmindful of the merits and services of those eminent statesmen and patriots, whose zeal for the public service, and ability in conducting us to our present envied eminence, entitle them to the best gifts of the republic—the confidence and gratitude of a free people.

What a weight of obligation does not our present happy and enviable situation impose upon us, to cherish, support and maintain, our invaluable constitution in its present shape and form ? Let us zealously endeavor to

discharge this obligation by all the means in our power. It has been often said, and I think truly, that knowledge is one of the surest means by which liberty is either to be obtained or preserved; and that knowledge which is improved, enlarged and refined by a liberal education, is undoubtedly the best. If we turn to the historic page we shall find, that all those nations who encouraged and patronized learned men, and institutions for the education of their youth, were the most free; and if for a time they fell under oppression, they seldom failed to embrace the first favorable opportunity to break their fetters, and re-establish their freedom.— Even in Europe at this day, it is the gross ignorance, bigotry and superstition of the great mass of the people (with very little exception) which enables a few military despots to lord it over their fellow creatures and keep them in their present slavish condition.

The human mind unimproved by education has been very aptly compared to a block of marble in its native state. It is the artist who gives it the polish, and presents to the eye its hidden beauties which we so much admire—just so is the influence of education upon the human mind. It is therefore by education that we are to increase our knowledge, and thereby establish one of the firmest supports to our present republican form of government.

Our state has in this respect done much, but she ought still to do much more.—Thirty years experience has proven that the legislative provision for the establishment and support of our county Academies, is altogether insufficient: but few of them have gone into operation, and those that have, it is well known, have been greatly aided by individual patronage. The great increase of our territory and population and the inadequacy of the fund heretofore appropriated for this purpose, seems to me to require further legislative provision.

It is highly gratifying to witness the individual efforts now making in many parts of the state, for the establishment and support of private schools and Academies; and will the legislature of Georgia refuse to encourage and promote these laudable exertions? Surely they will not. Our present state of tranquility and prosperity, with ample resources at command, is peculiarly favorable for the prosecution of this object. Enlighten the rising generation, and their liberties will be secure—leave them in ignorance, and they may be made slaves.

Whilst on the subject of education permit me to recommend for your consideration, a careful revision of the laws heretofore passed, for suppressing vice and immorality. Good morals are all important in estimating the value of a liberal education. A public Seminary of learning without morals would be a stain upon our character, and a curse to our country; and with them, not only one of the brightest ornaments but one of the greatest blessings we can possess. A disregard of moral instruction will have an inevitable tendency to promote

luxury and vice, and ultimately endanger, if it does not entirely overthrow, our present happy government. It is true that much of the luxury which we ought to dread as the parent of vice must be imported from abroad, and that the regulation and control of our external relations depend upon the acts of the general government; but it is nevertheless in the power of the state legislatures to afford important aid to the laws of the union in this respect.

The revision of our penal Code has been committed, agreeably to the wish of the last legislature, to two gentlemen of eminent legal talents and general knowledge; and the result of their labor is herewith communicated. I trust it will be found worthy of your acceptance.

Our Penitentiary Edifice being now partially prepared, and before another session of the Legislature will be in a complete state of readiness to receive offenders, the period has arrived when it becomes the duty of the Legislature, to furnish a system of government for its internal regulation: And it will not escape your observation, that the future usefulness of this institution will very much depend upon a suitable organization, and a judicious choice of officers. The first impression will be of vast importance. Permit me to invite your most deliberate and serious attention to this subject.

The gentlemen appointed by the last Legislature to to revise our military System, did not convene until a very recent day. From their acknowledged talents, experience and zeal, I have every reason to hope, notwithstanding the late period of their meeting, that they will be able to report the result of their labor, in due season for your consideration during the present session. That the system they may propose may meet the general expectation, by placing our Militia in a situation in point of discipline, which shall make them, not a nominal, but, a real and efficient military force, calculated for the protection and defence of the national rights; and that it may ultimately receive the stamp of the Legislative authority, is greatly to be desired.

By a provision in the act, establishing the Bank of the State of Georgia, passed at the last session, the sum of \$250,000 was required to be raised in specie, from the subscription to the Capital Stock, and in the hands of the Commissioners, before Directors should be elected, or any other step taken to organize the Bank. By another provision of the same act, seventeen per centum of the amount of the capital was required to be paid at the time of subscribing; and twenty per centum more at the expiration of six months thereafter. To make up the first sum of \$250,000 in specie, it became indispensable that the state should subscribe for the shares reserved for her by the law, otherwise its operation must have been suspended until the Legislature should

again convene ; and the want of an appropriation to enable the Executive to draw on the public funds for the amount of the first payment of the subscription, and particularly the want of the requisite amount in specie, presented some difficulty : But by a resolution passed at the close of the session, authorising the Executive to adopt such measures as he might see fit for giving effect to the law, and putting the Bank in operation—this difficulty was partly removed. Under this authority, the amount of the seventeen per centem of the state's subscription, including the one thousand shares reserved for the University, was by an executive order, deposited by the Treasurer, in the hands of the Commissioners in bills of the Augusta and Planters' banks ; and under the same authority, I proceeded to Augusta and Savannah for the purpose of negotiating with the Banks there, for an advance of specie, upon a deposit of their own notes by the commissioners, or Directors of the State Bank. My proposition to them was promptly met ; and with a liberality which does the credit of those institutions much credit, a large sum in specie was promised, and has since been paid, or is ready to be paid to the Directors of the State Bank. This Bank is now, and has been for some time past in operation in Savannah, and branches are now established at this place and in Augusta, as required by law. From this development of facts, you will perceive the necessity of an appropriation at the present session, to cover as well the first payment, as also the second, which has been some time due, but which can be made as soon as appropriated. Indeed, it may be more proper to appropriate the whole amount, by which, the Executive will be enabled to comply with the requisitions made by the Bank on the amount of the subscription, until the whole shall be paid.

By the appropriation law for the present year, a specific sum and fund was designated, from which to pay the States' quota of Direct Tax to the United States for the year 1816 ; but upon examination, it was found to be doubtful, whether the fund designated, could be relied upon for this payment, so as to give the state the advantage of the discount of 10 or 15 per centum, on the amount of the tax. And the state being in possession of drafts of the Treasurer of the United States, to a competent amount, payment was tendered in those drafts, and after some difficulty on the part of the Secretary of the Treasury, accepted ; leaving a question which arose on the subject of the notice, for the decision of Congress. The correspondence between the Executive and the Secretary of the Treasury, herewith submitted, will furnish all the requisite light to a clear and full understanding of this subject. It may however be proper to appropriate the amount, so as to authorise a warrant to be drawn ; for although the amount in money never was in our Treasury, the payment having been made by way of discount, yet it may be the

safest course, to consider the drafts as money, since they have been received in payment as such.

The Treasurer's Abstract, which will be laid before you in due season by that officer, will exhibit a concise but distinct view of the state of our funds, and presents matter of real gratulation to every friend of Georgia. Our means of satisfying every just demand against the state are ample, and the period is at hand when we shall possess an abundant surplus for promoting objects of general and public utility. Amongst those most worthy of your immediate attention and consideration, permit me to recommend, a serious and decided effort for the improvement of the navigation of our rivers, and the repair of our public roads and bridges. To an agricultural state like Georgia, whose products are not only of great value, but of great bulk, and intended for exportation, the facility of getting them to market, is an object of the very first importance. And here I beg leave to repeat what I have before said upon a similar occasion, that the present authority by which the public roads and bridges are made and repaired, is too local. A superintendent appointed by the Legislature, or the Executive, in each Military division, or Judicial district, clothed with the competent authority and means for procuring and applying the necessary labor, would, I am persuaded, be productive of much benefit, in this particular.

By the death of our worthy revolutionary soldier and patriotic citizen, Major General John Twiggs, of the 2d Division, and the removal of Major General John Clarke of the 2d Division of our Militia, the duty of filling the vacancies thereby occasioned, now devolves upon the Legislature. And it is my duty to remind you, that in addition to those State officers which the Constitution requires you to elect during your present session, you will have to appoint eight Electors of President and Vice President of the United States, and a Senator to represent this state in the Senate of the United States.

A list of Executive appointments made during the recess, and which are subject to legislative interference, is herewith submitted.

D. B. MITCHELL.

State-House, Milledgeville, }
5th November, 1816. }

Ordered, that Document containing the correspondence between His Excellency Governor Mitchell, and the Hon. A. J. Dallas, be referred to the committee on Finance ; also, the statement of Warrants drawn on the Treasury during the political year, 1816, be referred to the committee on Finance—and,

Ordered, that the remainder of the Documents do lie on the table.

On motion of Mr. Nowlan,

Resolved, That the credentials of James Blackmon

Esq. returned as Senator for the county of Scriven, be received, read and referred to the committee of Privileges and Elections, with power to report thereon.

Ordered to lie on the table.

Adjourned 'till 10 o'clock to morrow morning.

WEDNESDAY, 6th November, 1816.

Mr. Nowlan called up the following resolution, laid on the table Tuesday, viz :

Resolved, That the credentials of James Blackburn, Esquire, returned as Senator for the county of Scriven, be received, read and referred to the committee of Privileges and Elections, with power to report thereon, and the same being again read, on the question shall this resolution now pass, it was determined in the affirmative? and the yeas and nays being required, are yeas 17—nays 13.

Those in the affirmative, are Messrs.

Beasley,	Harris,	Nowlan,
Blackshear,	Kell,	Pray,
Cleveland,	Lockheart,	Sorrells,
Cullens,	T. Mitchell,	Walker, and
Hogg,	N. Mitchell,	Wimberly.
Hopkins,	Newsome,	

Those in the negative, are Messrs.

Burk,	Hardin,	Montgomery,
Byne,	Hatcher,	Pope,
Fleming,	Henly,	Reed, and
Foster,	Hudspeth,	Swain.
Griffin,		

Mr. T. Mitchell notified the Senate, that he will to-morrow, move for a committee to be appointed to report a bill, to be entitled an act, to amend an act, to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University, and to systematise the funds belonging thereto—passed the 30th November, 1815.

Mr. Hudspeth notified the Senate, that he would to-morrow, move for a committee to report a bill for the emancipation of three negroes therein named.

Mr. Fleming notified the Senate, that he will to-morrow, move for a committee to prepare, and report a bill, to be entitled an act, to admit Ambrose Wright to practice Law in the several Courts of this state.

Mr. Hudspeth notified the Senate, that he will to-morrow, move for a committee to prepare and report a bill, to amend an act, entitled an act, to prohibit the importation of slaves into this state—passed, the 31st day of January, 1798.

Mr. Blackshear notified the Senate, that he will to-morrow, move for a committee to prepare, and report a bill, to be entitled an act, to repeal an act, to revise and amend the Road-Laws of this state, so far as respects

the county of Laurens—passed, the 14th day of December, 1815.

Mr. Hatcher gave notice, that he would on to-morrow, move for a committee to be appointed to prepare, and report a bill, to be entitled an act, to alter and change the names of John, Samuel, and Thomas Y. Myrick, to that of John W. Berry, Samuel Berry, and Thos. Y. Berry.

Mr. Hogg called up the resolution laid on the table yesterday, in the words following :

Resolved, That a committee be appointed to make such claim, demand, or request on the United States, as they may think proper, for a further addition of Territory, agreeably to articles of agreement entered into, on the 24th day of April, 1802, between the Commissioners of the state of Georgia, on the one part, and the Commissioners of the United States, on the other part. By which agreement, the U. States appear to stand bound to relinquish for the use of Georgia, as early as the same can be peaceably obtained on reasonable terms the Indian title to a certain tract of Land or Territory, pointed out by the said Commissioners, and that the committee report as soon as may be; and the said resolution being again read, was agreed to, and Messrs. Hogg, Nath'l Mitchell, Fleming, Pope, and Sorrells appointed a committee, in conformity to said resolution.

Mr. Foster agreeably to notice, moved for a committee to report a bill to be entitled an act to authorise Notly Whitcombe to build a merchant mill adjoining his own land on Savannah river.

Ordered that Messrs. Foster, Byne and Wimberly be that committee.

On motion of Mr. Lamar,

Resolved, That Alexander Greene and Isaac Bowser be, and they are hereby appointed Vendue Masters for the town of Milledgeville.

On motion of Mr. Harris,

Resolved, That a committee be appointed to contract for the printing of a sufficient number of copies of the Penal Code, adapted to the Penitentiary system, as reported by the committee appointed for that purpose, and to furnish each member of this Legislature with a copy thereof.

Ordered that Messrs. Harris, Lamar and Newsom be that committee.

On motion of Mr. Henly.

Resolved, That His Excellency the Governor inform the Legislature whether any rules for the management of business in the Superior courts have been furnished by the Judges of the Superior courts in this state, agreeably to an act of the General Assembly, passed the 16th December, 1815, and if any, His Excellency be requested to lay the same before the Legislature.

From the county of Wilkes, came the Hon. Mathew Talbot, and from the county of Chatham, the Hon. T.

U. P. Charlton, members of Senate elect, who were severally sworn by the President of Senate and took their seats.

A message from the House of Representatives by Mr. Turner their Clerk.

Mr. President,

The House of Representatives have concurred in the resolution appointing a joint committee on the state of the Republic, and in the resolution appointing a joint committee of Finance, and have added committees on their part.

They have passed a resolution that they will on Friday next proceed to the election of a Senator of the U. S. a Major General of the 2d Division of the militia of this State, in place of Gen. John Twiggs, deceased, and a Major General of the 3d Division in place of Gen. John Clark, removed out of said division—and he withdrew.

The Senate took up the message and concurred in said resolution.

On motion of Mr. Charlton,

Resolved, That a committee be and are hereby appointed on the part of this branch of the Legislature, to join such as may be appointed by the House of Representatives to report on the Penal Code submitted by His Excellency the Governor.

Ordered that Messrs. Charlton, Kell, Henly, Harris and Montgomery be that committee.

Mr. Hopkins from the committee on privileges and elections, reported to wit :

The committee on privileges and elections, in the case of the contested election of James Blackmon, Esq. and John M. Wade, Esq. beg leave to report .

That on a full examination of the papers and documents, they find that John M. Wade, Esq. has legally a majority of votes, and regret that the presiding Magistrates should so far mistake their duty as to count the name of Mr. Blackmon three times on the same ticket.

Ordered that the report do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

THURSDAY, 7th November, 1846.

The Hon. William A. Knight, a member elect from the county of Wayne, attended, produced his credentials, and the usual oath being administered to him by the President, took his seat.

The Senate took up the report of the committee on privileges and elections, so far as respects the contested election of the county of Scriven, and the same being read was amended, and agreed to in the following words, to wit :

Resolved, That John M. Wade, esquire, is duly elected Senator of the county of Scriven, and that he is entitled to his seat in Senate.

Whereupon, the said John M. Wade, Esq. attended,

and the usual oath being administered to him by the President, took his seat.

On motion of Mr. Talbot,

Resolved, That Isaac Anthony be and he is hereby appointed a vendue-master for the town of Washington, in the county of Wilkes.

Mr. Harris, agreeably to notice, moved for the appointment of a committee to report a bill, to alter and amend the 12th section of the first article of the constitution.

Ordered, that Messrs. Harris, Wimberly and Burk, be that committee.

Mr. Mitchell, agreeably to notice, moved for the appointment of a committee to report a bill to amend an act to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University.

Ordered, that Messrs. T. Mitchell, Talbot and Montgomery be that committee.

Mr. Blackshear, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to repeal an act, to revise and amend the road Laws of this State, so far as respects the county of Laurens.

Ordered, that Messrs. Blackshear, Hardee and Hatcher, be that committee.

Mr. Wimberly gives notice, that he will on to-morrow move for the appointment of a committee, to report a bill to incorporate the town of Marion, in Twiggs county.

Mr. President laid on the table a petition from George Parriss, which was read and referred to the committee on petitions.

On motion of Mr. Henly,

Resolved, That a Committee on Petitions be appointed.

Ordered, that Messrs Henly, Cullens and Pope, be that committee.

Mr. Hatcher agreeably to notice, moved for the appointment of a committee, to report a bill to change the names of certain persons therein named.

Ordered that Messrs Hatcher, Griffin and Harris, be that committee.

Mr. Hudspeth, agreeably to notice, moved for the appointment of a committee to report a bill for the emancipation of three negroes therein named.

Ordered, that Messrs. Hudspeth, Montgomery and Blackshear, be that committee.

Mr. Hatcher agreeably to notice, had leave to report a bill to incorporate the town of Irwinton, in the county of Wilkinson, which was read the first time.

Mr. Hudspeth, agreeably to notice, moved for the appointment of a committee to report a bill, to amend an act, to prohibit the importation of slaves into this State.

Ordered, that Messrs. Hudspeth, Charlton and Lamar, be that committee.

Mr. Fleming agreeably to notice, moved for the ap-

pointment of a committee, to report a bill to admit Ambrose Wright, to practice in the several Courts of Law in this State.

Ordered, that Messrs. Fleming, Byne and Lockheart be that committee.

Mr. Charlton presented a petition from the Executors of John Gibbon, deceased, which was read and referred to a special committee, consisting of Messrs. Charlton, Nowlan and Wade.

Mr. Fleming gives notice, that he will to-morrow, move for the appointment of a committee to report a bill to improve the navigation of the Great Ogechee river.

On motion of Mr. Hudspeth,

Resolved, That the Executive appointment of Thomas W. Cobb, a Trustee of the University of Georgia, in place of George M. Troup, refusing to serve, be and the same is hereby confirmed.

A message from the House of Representatives by Mr. Turner, their Clerk.

Mr. President,

I am directed to inform the Senate, that the House of Representatives have concurred in the resolutions appointing joint committees on enrolment, and to contract for printing; and have added committees on their part—and

They have passed a resolution, that both branches of the General Assembly will convene in the Representative Chamber on Saturday next, for the purpose of electing four Judges, for the four several Circuits of this State, and an Attorney General for the Middle, and a Solicitor General for each of the other Judicial Circuits—and he withdrew.

The Senate took up the message and concurred in the resolution on the subject of Elections—and

Ordered, that the Secretary immediately notify the House of Representatives thereof.

Mr. Nowlan presented a petition from Abraham Mallet, late Sheriff of the county of Effingham, which was read and referred to the committee on Finance.

Mr. Fleming from the committee, reported a bill authorising Ambrose Wright to plead and practice Law in this State; which was read the first time.

Mr. Foster gives notice, that he will on Monday next, move for the appointment of a committee, to report a bill for licensing and regulating Pedlars.

Mr. Charlton gives notice that he will on to-morrow move for the appointment of a committee to divorce Thomas W. Rodman and Ann his wife.

Mr. Wimberly gives notice that he will on to-morrow, move for the appointment of a committee, to report a bill to divorce Mathew Wood, and Mourning his wife.

Adjourned 'till 10 o'clock, to-morrow morning.

FRIDAY, 8th November, 1816.

Mr. Kell gives notice, that he will on to-morrow move for the appointment of a committee to report a bill to divorce William Chauvin and Ann his wife.

Mr. Fleming agreeably to notice, moved for the appointment of a committee to report a bill to improve the navigation of the great Ogechee river.

Ordered that Messrs. Fleming, Lamar and Pray be that committee.

Mr. Hopkins gives notice that he will on to-morrow move for the appointment of a committee to report a bill to vest the estates, both real and personal of Noel Fanning, deceased, in Thomas U. P. Charlton and his heirs.

Mr. Hatcher from the committee, reported a bill to change the names of certain persons therein named, which was received and read the first time.

A message from the House of Representatives by Mr. Turner, their Clerk,

Mr. President,

I am directed to inform the Senate that the House of Representatives have concurred in the resolution appointing Vendue masters for the town of Milledgeville.

They have passed a resolution appointing Notaries Public for the county of Chatham.

A resolution appointing Notaries Public for the county of M'Intosh.

A resolution appointing a Lumber measurer for the town of Darien.

A resolution appointing a joint committee to ascertain what mode will be most beneficial to dispose of the tract of country lately acquired from the Creek Indians—and

A resolution adding on their part Messrs. Rea and Carr to the committee on enrolment—and he withdrew.

The Senate took up the message and concurred in the several resolutions except the one on the subject of the acquired Territory, which was ordered to lie on the table.

The President laid on the table a petition from Reno Fitzpatrick, which was read and referred to the committee on the state of the Republic.

Mr. Wimberly agreeably to notice, moved for the appointment of a committee to report a bill to divorce Mathew Wood and Mourning his wife.

Ordered that Messrs. Wimberly, Harris and Pope be that committee.

Mr. Cleveland agreeably to notice moved for the appointment of a committee to report a bill in addition to, and amendatory of an act to regulate attachments in this state

Ordered that Messrs. Cleveland, Charlton and Reed be that committee.

Mr. Wimberly agreeably to notice, moved for the appointment of a committee to report a bill to incorporate the town of Marion in the county of Twiggs.

Ordered that Messrs. Wimberly, Hatcher and Blackshear be that committee.

Mr. Hardin gave notice that he will on Monday next move for leave to report a bill, to amend an act to regulate the admeasurement and inspection of Lumber, &c.

Mr. Charlton from the joint committee to whom was referred the Penal Code, submitted by his Excellency the Governor,

Reported, that they have no alterations or amendments to suggest to the Penal Code submitted by His Excellency, and beg leave to recommend the adoption of the system as prepared by the Commissioners appointed by his Excellency, and by him laid before the Legislature.

The Senate took up the report which was read and agreed to.

Whereupon a bill to be entitled an act to carry into effect the Penal Code of this State and the Penitentiary System founded thereon, was presented and taken for a first reading—progress made and ordered to lie on the table.

A message from His Excellency the Governor by Mr. Heath, his Secretary,

Mr. President,

I am directed by his Excellency the Governor to lay before this branch of the Legislature a communication.

The Senate took up and read the communication, which is as follows, to wit:

EXECUTIVE OFFICE, }

Milledgeville, 8th November, 1816 }

In compliance with the resolution of Senate of the 6th inst. I now lay before them the rules governing the practice in the Superior courts of the Eastern, Middle and Ocmulgee Circuits. These have been received by the Executive some time since, but those of the Western circuit, if there be any, have not been received. I have however just received information which induces me to believe, that it had been the intention of Judge Gresham, to visit this place early during your session, and to have made some verbal explanations respecting the rules of practice in the Circuit in which he presides, but that he has been detained by the indisposition of his family. This circumstance will also serve to explain the cause of my not communicating those which had been received upon your first meeting.

D. B. MITCHELL.

Ordered, that the same, with the documents, do lie on the table.

A message from the House of Representatives, by Mr. Turner, their Clerk:

Mr. President,

I am directed to inform the Senate that the House of Representatives are now ready to receive them in the

Representative chamber for the purpose of proceeding to the elections of a Senator to Congress, a Major General for the 2d Division, and a Major General for the 3d Division of the Militia of this state, agreeably to a joint and concurred resolution—and he withdrew.

Whereupon the Senate repaired to the Representative chamber and being seated, proceeded to said elections, and on counting out the ballots, it appeared that Col. George M. Troup was duly elected Senator to the Congress of the United States, for 6 years from the 4th day of March next; Brig. Gen. Valentine Walker, Major General of the 2d Division of the militia of this state, in place of Major General John Twiggs, deceased, and Col. Jett Thomas, Major General of the 3d Division of the militia of this state, in place of Major Gen. John Clarke, removed without the limits of said Division.

The Senate then returned to their chamber and took their seats—and

Adjourned 'till 10 o'clock tomorrow morning.

SATURDAY, 9th November, 1816.

The Hon. Peter Early, a member elect from the county of Greene, attended, produced his credentials, and the usual oath being administered to him by the President of the Senate, took his seat.

Mr. Sorrels gives notice that he will on Monday next move for the appointment of a committee to report a bill to take the Census agreeably to the Constitution of this state.

Mr. Foster from the committee, reported a bill to authorise Notley Whitcombe to build a Merchant mill—which was read the first time

On motion of Mr. Fleming,

Resolved, That James A. Black and Lewis Barrie be appointed Vendue masters for the city of Augusta.

The Senate again resumed the first reading of the bill to be entitled an act to reform the Penal Code of this state and to adapt the same to the Penitentiary system—progressed, and ordered that the further reading should be dispensed with for the present.

A message from His Excellency the Governor by Mr. Heath, his Secretary,

Mr. President,

I am directed to lay before this branch of the Legislature a communication—and he withdrew.

The Senate took up the said communication, which being read was ordered to lie on the table, and is in the words following:

To the Senate,

and House of Representatives,

I have this morning received from the Honorable Wm.

W Bibb, a letter by which he resigns his seat in the Senate of the United States—and is as follows, viz :
“SIR,

“The Senate of the United States will probably be convened on the fourth of March next, and my term of service will expire on the preceding day. It is highly important that the state should be fully represented during the called session; and by retiring at the present moment from the station with which I have been honored, the Legislature will be enabled to provide for that object.

“Consulting therefore those interests, to the advancement of which, my zealous exertions, guided by my best judgment, have been uniformly devoted, I resign my seat in the Senate of the United States.”
I have lost no time in making this communication, that by the election of a successor, the state may be fully represented in the Senate at the approaching session.

D. B. MITCHELL.

*Executive Office, }
9th November, 1816. }*

A message from the House of Representatives by Mr. Turner their Clerk.

Mr. President,

I am directed to inform the Senate that the House of Representatives have concurred in the resolution from Senate, appointing a Trustee of the University of Georgia—and

In the resolution appointing a Vendue Master for the town of Washington, with an amendment.

They have passed a resolution appointing a joint committee to enquire what alterations are necessary in the system of Escheat in this state—and

A resolution appointing Commissioners of the town of Washington—and he withdrew.

Ordered that the said message lie on the table.
Mr. Harr is from the committee to contract for printing a number of copies of the Penal Code, reported, which was read and ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their Clerk.

Mr. President,

I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Representative chamber for the purpose of proceeding to the election of four Judges of the Superior Courts, one Attorney General and three Solicitors General, agreeably to a joint and concurred resolution.

Whereupon the Senate repaired to the Representative Chamber, and being seated, proceeded to said elections, and on counting out the ballots, it appeared that the Hon. John Macpherson Berrien, was duly elect-

ed Judge of the Superior Courts of the Eastern District of this State; Robert Raymond Reid, Esquire, Judge of the Middle; John M. Dooly, Esquire, of the Western; and Christopher B. Strong, Esquire, of the Ocmulgee District; and that Roger Lawson Gamble, Esquire, was duly elected Attorney General of this State; Edward C. Tatnall, Esquire, Solicitor General of the Eastern District; Duncan G. Campbell, Esquire, Solicitor General of the Western; and Badger Franklin, Esquire, Solicitor General of the Ocmulgee District.

The Senate then returned to their Chamber.

Mr. Hopkins agreeably to notice, moved for the appointment of a committee to report a bill to vest the estates, real and personal, of Noel Fanning, deceased, in Thomas U. P. Charton, and his heirs.

Ordered, that Messrs Hopkins, Hardee and Knight, be that committee.

On motion of Mr. Hardin,

Resolved, That the Senate will convene in the Representative Chamber at 12 o'clock on Monday next, to elect eight Electors, to vote for President and Vice-President of the United States, agreeably to the first section of the 2d article of the constitution of the United States, and a Senator in Congress, in place of the Hon. William W. Bibb, resigned.

A message from his Excellency the Governor, by Mr. Heath, his Secretary :

Mr. President,

I am directed by His Excellency the Governor, to lay before this branch of the Legislature a Communication—and he withdrew.

The Senate took up and read the Communication, which is in the following words, to wit :

*EXECUTIVE-OFFICE, }
8th November, 1816. }*

I herewith communicate for the information of the General Assembly, two letters I have recently received from members of the committee who were appointed by a resolution of the last Legislature, to frame and digest a Military system for the Militia of this State. And I regret to have to observe, that the hope I had entertained in regard to this object will not be realized for the reasons assigned in the documents now communicated.

D. B. MITCHELL.

Ordered, that the same do lie on the Table.

Adjourned 'till 10 o'clock, Monday morning.

MONDAY, 11th November, 1816.

The Senate proceeded to reconsider the journal of

of Saturday, so far as respects the resolution appointing James A. Black and Lewis Barrie, Vendue masters for the city of Augusta.

Ordered, that said resolution do lie on the table.

Also, on motion of Mr. Hudspeeth,

They proceeded to re-consider the Journal, so far as respects the resolution appointing the elections of this day—and

Ordered that said resolution do lie on the table.

Mr. Nowlan presented a petition from a number of the inhabitants of the county of Effingham, which being read was, together with a counter petition presented by Mr. Charlton, referred to a select committee, consisting of Messrs. Nowlan, Charlton, Wade, Pray and Hardie.

Mr. Wade presented a Petition from sundry inhabitants of the county of Burke, which was read and referred to a special committee, consisting of Messrs. Wade and Byne on the part of Senate.

Mr. Hopkins from the committee, reported a bill to vest the estates of Noel Faming, deceased, in Tho's U. P. Charlton and his heirs, which was read the first time.

Ordered, that Messrs. Wimberly, Blackshear, Hatcher and Charlton be a committee on Petitions for Divorces, and that all Petitions for Divorces be referred to them.

A message from the House of Representatives by Mr. Turner their Clerk,

Mr. President ;

The House of Representatives have passed a resolution, that both branches of the Legislature will convene in the Representative chamber on Tuesday next, to elect eight Electors for President and Vice President of the United States—and he withdrew.

The Senate took up the message, and the same being read, was concurred in with the following amendment, add "a Senator in Congress in place of the Hon. William W. Bibb resigned, and a Brigadier General in place of Brigadier V. Walker promoted."

Mr. Charlton, agreeably to notice moved for the appointment of a committee to prepare and report a bill to be entitled an act to Divorce Thomas W. Rodman and Ann his wife.

Ordered to be referred to the committee on Divorce bills.

Mr. Hogg presented a Petition from Jeremiah Sparks, which was read and referred to the committee on Finance.

Mr. Lockhart gives notice that he will on to-morrow move for the appointment of a committee to report a bill, to alter and amend the 9th section of the third article of the Constitution of this state.

Mr. Lamar gives notice that he will on to-mor-

row move for the appointment a committee to report a bill to Divorce James H. Perdue and his wife.

Mr. Kell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to amend the first section of the 3d article of the Constitution of this state, so far as regards the term that the Judges of the Superior courts hold their offices.

Mr. Kell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to divide the State of Georgia into Congressional Districts.

Mr. Sorrells, agreeably to notice moved for the appointment of a committee to prepare and report a bill to take the Census, agreeably to the Constitution of this State.

Ordered that Messrs. Sorrells, Early and Kell be that committee.

A message from His Excellency the Governor by Mr. Heath his Secretary,

Mr. President ;

I am directed by His Excellency the Governor to lay before this branch of the Legislature a Communication—and he withdrew.

The Senate took up the message, and it appearing to contain an Exemplification of the record of the Superior court of Putnam county in the case of the State vs Agness Hogg alias Agness Yates for Murder, was referred to a special committee, consisting of Messrs. Montgomery, Reed and Lamar.

The Senate again resumed and concluded the first reading of the bill to reform the Penal Code, and to adapt the same to the Penitentiary system.

The bill to incorporate the town of Irwinton in the county of Wilkinson was read the 2d time,

Ordered for a third reading.

The President laid on the table a letter from George R. Clayton, Esq. enclosing his Abstract, which was referred to the committee on Finance.

Mr. Wade gives notice that he will on to-morrow move for the appointment of a committee to report a bill to legalize the proceedings of the Sheriffs and Clerks of the Middle Judicial circuit of this state

Mr. Charlton gives notice that he will on to-morrow move for the appointment of a committee to report a bill to regulate the duties of Health officer for the port of Savannah, and to establish his fees.

The following bills were read a second time, to wit :

A bill to change the name of certain persons there-mentioned—ordered for a 3d reading.

A bill to authorise Ambrose Wright to practice law in this state—ordered for committee of the whole.

And a bill to authorise Notly Whitcombe to build a Merchant mill—ordered for a committee of the whole.

On motion of Mr. Hatcher,

Resolved, That Eli Brack be and he is hereby appointed a Commissioner of the Academy of Wilkinson county, in place of John Ball, dec'd.

Mr. Harris gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to enquire into the expediency of improving the navigation of the Ocmulgee river.

Mr. Nowlan gives notice that he will on to-morrow move for the appointment of a committee to report a bill to change the names of certain persons therein named.

On motion of Mr. Foster,

Resolved, That George Cary, Esq. be and he is hereby appointed a Notary Public for the county of Columbia.

The Senate took up and agreed to the amendment made by the House of Representatives to the resolution appointing a Vendue master for the town of Washington.

They concurred in the resolution appointing a Commissioner of the town and Academy of Washington.

In the resolution appointing a joint committee to enquire what alterations, if any, are necessary in the system of Escheat in this state, and added on their part Messrs. Montgomery, Charlton and Talbot—and

In the resolution appointing a joint committee on the subject of the Territory lately acquired from the Creek nation of Indians—and added on their part Messrs. Early, Beasley, Lamar, Kell and Hardin.

A message from the House of Representatives by Mr. Turner their Clerk,

Mr. President ;

I am directed to inform the Senate that the House of Representatives have agreed to the amendments of Senate to the resolution on the subject of elections which are to take place to-morrow—and he withdrew.

Mr. Nowlan laid on the table a letter from Tho's Rawls, Esq. which was read and referred to the committee on Privileges and Elections.

Adjourned 'till 10 o'clock to-morrow morning.

TUESDAY, 12th November, 1816.

Agreeably to notice, Mr. Wade moved for the appointment of a committee, to prepare and report a bill, to legalise the proceedings of the Sheriffs and Clerks of the middle Judicial Circuit of this State.

Ordered, that Messrs. Wade, Walker and Foster, be that committee.

Mr. Lockhart notified the Senate, that he will on to-morrow, move for the appointment of a committee to report a bill, to keep in repair the road leading from Milledgeville to Savannah.

Mr. Blackshear gave notice, that he will on to-morrow move for a committee, to prepare and report a bill to be entitled an act, to alter the names of John Smith and his children, Sarah, James, Sherod and Mary Smith, to that of John Hudson, Sarah Hudson, James Hudson, Sharod Hudson & Mary Hudson.

Agreeably to notice, Mr. Lockhart moved for a committee to prepare and report a bill, to alter and amend the 9th section of the 3d article of the Constitution of this State.

Ordered, that Messrs. Lockhart, Fleming and Byne, be that committee.

Mr. Hardin agreeably to notice, reported a bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles and for other purposes, which was received and read the first time.

The Senate proceeded to the second reading of the bill, to be entitled an act, to reform the Penal Code and to adapt the same to the Penitentiary system, and having made some progress, was ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their Clerk.

Mr. President,

I am directed to inform the Senate, that the House of Representatives have passed a bill to divorce Nancy Jones, and Thomas her husband—and

A bill to incorporate Eatonton Academy, &c.

They have passed a resolution, appointing Notaries Public, for the town of Milledgeville—and

A resolution, appointing a joint committee on their part, to join such as may be appointed by Senate, to take into consideration the militia Laws of this State—and he withdrew.

The Senate took up the message, and concurred in the resolutions, and appointed on their part, on the joint military committee, Messrs. Walker, Blackshear, Byne, Cleveland and Wimberly.

Ordered, that the bills lie on the table.

Mr. Kell agreeably to notice, moves for the appointment of a committee, to prepare and report a bill, to amend the first section of the third article of the Constitution, so far as regards the term that the Judges of the Superior Courts hold their offices.

Ordered, that Messrs Early, Kell and Charlton, be that committee.

Mr. Kell agreeably to notice, moves for the ap-

pointment of a committee, to prepare and report a bill to divide the State of Georgia into Congressional Districts.

Ordered, that Messrs. Kell, Byne, Foster, Talbot and Lamar, be that committee.

Mr. Walker presented a petition from John M'Kinne and Henry Shults, which was read and referred to the committee on the State of the Republic.

A message from the House of Representatives by Mr. Turner their Clerk.

Mr. President,

I am directed to inform the Senate, that the House of Representatives are now ready to receive them in the Representative Chamber, for the purpose of proceeding to the election of a Senator to Congress, to fill the vacancy of the Hon. William W. Bibb, resigned, eight Electors, for President and Vice-President of the United States, and a Brigadier General, to fill the vacancy of Brigadier General Valentine Walker, of the first Brigade of the 2d Division of the Militia of this State, promoted—and he withdrew.

Whereupon, the Senate repaired to the Representative Chamber, and being seated, proceeded to said Elections, and on counting out the Votes, it appeared that the Hon. George M. Troup, was duly elected a Senator in the Congress of the U. States, to fill the vacancy occasioned by the resignation of the Hon. William W. Bibb; that Col. Thomas Glascock, was duly elected Brigadier General of the 1st Brigade of the 2d Division of the Militia of this State, in the place of Brigadier General Valentine Walker, promoted; and that John M'Intosh, Jared Irwin, Charles Harris, John Rutherford, Henry Mitchell, David Adams, John Clarke, and David Meriwether, Esquires, were duly elected Electors of President and Vice-President of the United States.

The Senate then returned to their Chamber—and Adjourned 'till 10 o'clock tomorrow morning.

WEDNESAY, 13th November, 1816.

The Senate re-considered the Journal of yesterday so far as respects the petition of John M'Kinne and Henry Shults—and

Ordered, that said petition, do lie on the table.

Mr. Hudspeth from the committee, reported a bill to be entitled an act, to enable the Executors of the last will and testament of John Hardin, deceased, to carry the same into effect, which was read the first time.

Mr. Sorrells from the committee, reported a bill to be entitled an act, to provide for taking the census of this State, as required by the Constitution, which was read the first time.

A Communication from His Excellency the Governor, by his Secretary, Mr. Heath, was received, enclosing the resignation of Col. Christopher B. Strong, as Pay-Master General of this State.

Mr. Wimberly from the committee, reported a bill, to be entitled an act, to regulate the town of Marion, in the county of Twiggs, which was read the first time.

Mr. Harris from the committee, reported a bill, to be entitled an act, to alter and amend the 12th section of the 1st article of the Constitution, which was read the first time.

Mr. Hopkins gave notice, that he will on tomorrow, move for a committee to prepare and report a bill, to be entitled an act authorising a part of the Camden Battalion, to muster in the town of St. Mary's.

Mr. Hopkins, also, presented a petition from the Inhabitants of the Island of St. Simons, which was read, and ordered to lie on the table.

On motion of Mr. Wimberly,

Resolved, That Arthur C. Perry and Wm. Dunn, be, and they are hereby appointed Commissioners of the Public Buildings in the county of Twiggs, in the place of Jacob Ricks, dec'd. and James Ware, resigned.

Mr. Harris agreeably to notice, moved for a committee, to enquire into the expediency of improving the navigation of the Ocmulgee River.

Ordered, that Messrs. Harris, Beasley, Pope, Wimberly and Griffin, be that committee.

A message from the House of Representatives, by Mr. Turner, their clerk:

Mr. President,

The House of Representatives have passed a bill to be entitled an act, to divorce and separate Oliver Andrews and Elizabeth his wife, and John Battle and Sarah his wife—

A bill, to divorce and separate Benjamin Head, and Margaret Head his wife—and

A bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society—and he withdrew.

Ordered, that the message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, to admit Ambrose Wright to plead and practice law.

Mr. Byne in the Chair—Mr. President resumed the Chair, and Mr. Byne reported, that the further consideration of said bill be postponed until the 1st Monday in June next.

The Senate took up, and agreed to the report.

Mr. Cleveland from the committee, reported a

bill, for altering the uniform of the militia officers of the state of Georgia, which was read the first time.

The bill, to be entitled an act to divorce and separate Nancy Jones and Thomas Jones her husband, was read the 1st time.

The bill, to be entitled an act, to incorporate Eatonton Academy in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy, was taken up and read the first time.

The bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society, was read the first time.

The bill to divorce and separate Benj. Head and Margaret Head his wife, was read first time.

The bill to divorce and separate Clevis Andrews, and Elizabeth his wife, and John Battle and Sarah, his wife, was read first time.

The bill to be entitled an act, to alter and change the names of John W. Samuel, and Thomas Y. Myrick, to that of John W. Samuel and Thomas Y. Berry, was read the 3d time and passed.

The bill to be entitled an act, to incorporate the town of Irwinton, in the county of Wilkinson, was taken up, read the third time, and passed—and

The bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes, was read the second time.

Ordered for a committee of the whole.

The bill to be entitled an act to vest the estates of Noel Faming, dec'd. in Tho's U. P. Charlton and his heirs, was read the 2d time, and ordered for committee of the whole.

Mr. Nowlan from the committee, reported a bill to be entitled, an act to alter & change the names of certain persons therein named, which was read the first time.

On motion,

Ordered, that the report of the committee on the subject of Indian Territory, be re-committed, and that Messrs. Early and Charlton be added to that committee.

Mr. Charlton, agreeably to notice moved for a committee to report a bill to be entitled, an act to regulate the duties of Health officer for the port of Savannah, and to establish his fees.

Ordered, that Messrs. Charlton, Nowlan and Pray be that committee.

Mr. Walker gives notice that he will on to-morrow move for the appointment of a committee to report a bill to amend the 5th section of an act, for the appointment of county officers, passed 16th February, 1799.

Mr. Charlton from the committee on Divorce bills,

reported a bill to divorce certain persons therein named—which was read the first time.

Mr. Blackshear, agreeably to notice moved for the appointment of a committee, to prepare and report a bill to alter the names of certain persons therein named.

Ordered, that Messrs. Blackshear, N. Mitchell and Griffin be that committee.

The Senate resumed and concluded the 2d reading of the bill to reform the Penal Code of this State, and to adapt the same to the Penitentiary system—ordered for a committee of the whole.

A message from the His Excellency the Governor by Mr. Heath his Secretary,

Mr. President ;

I am directed by His Excellency the Governor to notify the Senate that he has approved of the resolution which originated in this branch of the Legislature appointing Vendue masters for the town of Milledgeville.

The resolution appointing Vendue masters of the town of Washington in Wilkes county—and

The resolution confirming the Executive appointment of Thomas W. Cobb, a Trustee of the University of Georgia, in place of George M. Troup refusing to serve—and he withdrew.

A message from the House of Representatives by Mr. Turner their Clerk.

Mr. President ;

I am directed to inform the Senate that the House of Representatives have passed a resolution that both branches of the Legislature will convene in the Representative chamber on Friday next at 12 o'clock, for the purpose of electing a Paymaster General in place of Col. Christopher B. Strong, resigned—and he withdrew.

Ordered, that the said resolution lie on the table.

Mr. Charlton, from the committee reported a bill to regulate the duties of Health officer of the Port of Savannah, and to establish his fees, which was received and read the first time.

The Senate took up the resolution from the House of Representatives on the subject of election, which was agreed to with the following amendment, to wit: "strike out 'Friday' and insert 'Saturday,' and add, and six Directors of the Bank of the State of Georgia, and two Directors of the Planters' Bank."

Mr. Hardin from the committee on Privileges and Elections reported, which was ordered to lie on the table.

Mr. Knight gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to compel persons not residing

in the county of Camden, Glynn and Wayne, owning or claiming lands in said counties, surveyed prior to the year 1800, to re-survey their lands in two years.

Mr. Hardin gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to revise, amend and consolidate the several Patrol laws now in force in this state.

Adjourned 'till 10 o'clock to-morrow morning.

THURSDAY, 14th November, 1816.

Mr. Knight agreeably to notice, moved for a committee to prepare and report a bill, to compel persons, not resident of the counties of Camden, Glynn and Wayne, owning or claiming Lands in said counties, surveyed prior to the year 1800, to re-survey their lands within the term of two years thereafter.

Ordered, that Messrs. Knight, Hopkins and Hardie, be that committee.

Mr. Cullens notified the Senate, that he will on to-morrow, move for the appointment of a committee to prepare and report a bill, to authorise the Commissioners of the Washington county Academy, to sell a certain lot in Sandersville, for the use of said Academy.

Mr. Harris notified the Senate, that he will on to-morrow, move for the appointment of a committee, to prepare and report a bill, to regulate the admission of evidence in the courts of law and equity within this state, in certain cases.

On motion of Mr. Cullens ;

Resolved, That Thomas B. Rutherford be, and he is hereby, appointed a Notary Public, for the county of Washington.

Agreeably to notice, Mr. Walker moved for a committee, to report a bill, to be entitled an act, to amend the 5th section of an act, for the appointment of county officers—passed on the 16th day of February, 1799.

Ordered, that Messrs. Walker, Foster and Newsome, be that committee.

Mr. Lamar notified the Senate, that he will on to-morrow, move for a committee, to prepare and report a bill, to authorise the Commissioners of the Academy of Baldwin county, to sell six lots in the town of Milledgeville, for the support of said Academy.

Mr. Hardin agreeably to notice, moved for a committee to report a bill, to be entitled an act, to revise, amend & consolidate the several Patrol Laws now in force in this State.

Ordered, that Messrs. Hardin, Fleming and Swain be that committee.

Mr. Lockhart from the committee, reported a bill, to be entitled an act, to alter and amend the 9th section of the 3d article of the Constitution, which was read the first time.

Mr. Blackshear agreeably to notice, reported a bill, to be entitled an act, to alter and change the names of certain persons therein mentioned, which was read the first time.

He also, reported a bill, to be entitled an act, to repeal an act, entitled an act, to revise and amend the road laws, so far as respects the county of Laurens—passed 14th December, 1815 ; which was read the first time.

The following bills, were severally taken up, and read the second time.

A bill, to be entitled an act, for altering the uniform of the militia officers of the state of Georgia.

Ordered for a third reading.

A bill, to be entitled an act, to divorce and separate Clevis Andrews and Elizabeth his wife, and John Battle and Sarah his wife.

Ordered for committee of the whole.

A bill, to divorce and separate Nancy Jones and Thomas Jones her husband.

Ordered for committee of the whole.

A bill, to be entitled an act, to regulate the duties of Health Officer, of the port of Savannah, and to establish his fees..

Ordered for committee of the whole.

A bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society.

Ordered for committee of the whole.

A bill, to be entitled an act, to divorce and separate Benjamin Head and Margaret Head his wife.

Ordered for committee of the whole.

A bill, to be entitled an act, to alter and change the names of certain persons therein mentioned.

Ordered for a third reading.

A bill, to be entitled an act, to enable the Executors of the last will and testament of John Hardin, deceased, to carry the same into effect.

Ordered for committee of the whole.

A bill, to be entitled an act, to divorce Thomas W. Rodman and Ann his wife—Mathew Wood and Mourning Wood his wife—William Chauvin and his wife.

Ordered for committee of the whole.

A bill, to be entitled an act, to provide for the taking the census of this state, as required by the Constitution.

Ordered for committee of the whole.

A bill, to be entitled an act, to regulate the town of Marion.

Ordered for a third reading.

A bill, to be entitled an act, to alter and amend the 12th section of the 1st article of the constitution,

Ordered for committee of the whole.

A bill, to be entitled an act, to incorporate Eaton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy.

Ordered for a third reading.

Mr. Talbot presented a petition from Wm. Cuthbert, a person of colour, which was read and referred to Messrs. Talbot, Kell and Henly, a committee thereon.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to authorise Notley Whitcombe, to build a merchant mill, adjoining his own land—Mr. Walker in the chair, Mr. President resumed the chair, and Mr. Walker reported, that they had gone through the bill, without any amendment.

Mr. Foster moved, that the Senate do now take up the report—on the question to agree, it was determined in the negative—and the yeas and nays being required, are yeas 9—nays 25.

Those who voted in the affirmative, are Messrs.

Byne,	Hardee,	Pray,
Charlton,	Hogg,	Swain, and
Foster,	Newsome,	Walker.

Those who voted in the negative, are Messrs.

Beasley,	Hatcher,	Montgomery,
Blackshear,	Henly,	Nowlan,
Burke,	Hopkins,	Pope,
Cleveland,	Hudspeth,	Reed,
Cullens,	Kell,	Sorrells,
Early,	Knight,	Talbot,
Fleming,	T. Mitchell,	Wade and
Griffin,	N. Mitchell,	Wimberly.
Hardin,		

Whereupon, on motion of Mr. Montgomery,

Resolved, That the report of the committee of the whole, on said bill, do lie on the table for the balance of the session.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes.

Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported, that they had gone through the bill, with amendments.

The Senate took up the report, and the amendments were agreed to—and

The said bill was read the third time, and passed.

The Senate took up the report, of the committee of Privileges and Elections—in the words following—

The committee on Privileges and Elections, report, as follows, to wit:

They having examined the certificates of the members composing Senate, find them correct; but

on a view of two letters, one from James Bozeman, Comptroller General, to Thomas Rawles, Esq. dated Milledgeville, 16th October, 1815, and the other from Thomas Rawles, to the President of the Senate, which are herewith transmitted, together with two certificates from the Comptroller General, all which leads your committee to believe, that the sitting member from the county of Bulloch, has failed to pay his tax for the year 1813—and beg leave to submit this opinion to the Senate—and the said report being read,

On motion of Mr. Blackshear, that the following be added as an amendment.

It is therefore resolved, That the said sitting member is not constitutionally qualified as a Senator, and cannot hold his seat.

On motion of Mr. Montgomery,

Resolved, That the report with proposed amendment, and the documents do lie on the table.

On motion of Mr. Walker,

Ordered, that Mr. Hopkins, be added to the committee already appointed to revise the militia laws of this state.

Mr. Pray notified the Senate, that he will on tomorrow move for the appointment of a committee to prepare and report a bill, to tax the Marine & Fire Insurance Company of the City of Savannah.

Agreeably to notice, Mr. Hopkins moved for the appointment of a committee, to report a bill to repeal an act authorising a part of the Camden Battalion, to muster in the town of St. Mary's.

Ordered, that Messrs. Hopkins, Nowlan & Knight be that committee.

Mr. Walker from the committee, reported a bill, to be entitled an act, to amend the fifth section of an act, for the appointment of county officers—passed on the 16th day of February, 1799—which was read the first time.

Mr. Wade from the committee, reported a bill to be entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit, or district of this state, which was read the first time.

Mr. Kell from the committee, reported a bill to be entitled an act to alter the first section of the 3d article of the Constitution, which was read the first time.

Mr. Hudspeth presented a Petition from the Executors of Beverly Lowe, deceased, which was received and referred to the committee on Petitions.

The Senate resolved itself into a committee of the whole, on the bill to Divorce and separate Cleviss Andrews and Elizabeth his wife, and John Battle and Sarah his wife—Mr. Hudspeth in the Chair—Mr. President resumed the Chair, and Mr. Hudspeth reported progress and had leave to sit again.

A message from the House of Representatives, by Mr. Turner their Clerk.

Mr. President;

The House of Representatives have passed the following bills:

A bill to be entitled an act to restore William Wall and Andrew Guarde, two persons of color, to the privilege of piloting vessels to and from the several ports in this state.

A bill to Pardon Agness Hogg, alias Agness Yates.

A bill to be entitled an act to pardon Robert M'Mannis of the county of Richmond—and

A bill to divorce David Terry and Susannah his wife—and he withdrew.

The Senate took up the message and the said bills were severally read the first time.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to regulate the duties of Health officer of the port of Savannah, and to establish his fees—Mr. Newsome in the chair, Mr. President resumed the chair, and Mr. Newsome reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend the 12th section of the first Article of the Constitution—Mr. Hopkins in the chair—Mr. President resumed the chair, and Mr. Hopkins reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to take the Census of this state as required by the Constitution—Mr. Nowlan in the chair—Mr. President resumed the chair, and Mr. Nowlan reported that they had gone through the bill with amendments.

The Senate took up the report and the amendments were agreed to.

A Communication was received from His Excellency the Governor, by Mr. Heath, enclosing a letter from Col. Hammond, Secretary of State, on the subject of Grants, which was read and referred to the committee on the state of the Republic.

Mr. Nowlan from the committee, reported a bill to be entitled an act to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions, so as to prevent the free use of navigation of the same, which was read the first time.

Mr. Charlton gave notice that he will move to introduce a bill to be entitled an act to vest the election of Clerk of the market of the City of Savannah in the Mayor and Aldermen of said city.

Adjourned 'till 10 o'clock to morrow morning.

FRIDAY, 15th November, 1816.

Mr. Walker had leave to introduce a bill instantter, to be entitled, an act to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the city of Augusta, and to sell, dispose of and convey the same, and for other purposes, which was read the first time.

Mr. Cullen, agreeably to notice moved for a committee to report a bill to authorise the Commissioners of the Washington county Academy, to sell a certain lot in Sandersville for the use of said Academy.

Ordered, that Messrs. Cullens, Blackshear and Fleming be that committee.

Mr. Pray, agreeably to notice moved for a committee to report a bill to tax the Marine and Fire Insurance company of the City of Savannah.

Ordered, that Messrs. Pray, Charlton and Nowlan be that committee.

Mr. Lamar, agreeably notice moved for a committee to report a bill to authorise the Commissioners of Baldwin county Academy, to sell six lots in the town of Milledgeville, for the support of said Academy.

Ordered, that Messrs. Lamar, Reed and Hatcher be that committee.

On motion of Mr. Hatcher,

Resolved, That Solomon Worrel and David Roland, be and they are hereby appointed Commissioners of the Court-House and Jail in the county of Wilkinson, in the place of John Ball, dec'd. and John Speight removed without the county.

Mr. Foster presented a petition from the inhabitants of the Village of Appling, which was read and referred to Messrs. Foster, Byne and Walker, a special committee to report thereon.

He also presented a petition from the inhabitants of Columbia and Warren counties, who are situate in the remote parts of said counties, praying a new county to be laid out, &c. which was read and referred to a joint committee to consist of the members of each county—and

Ordered, that Messrs. Foster, Newsome and Talbot be the committee on the part of Senate.

The Senate proceeded to the 2d reading of the following bills, to wit;

A bill to be entitled an act to pardon Agness Hogg, alias Agness Yates;

Ordered for committee of the whole.

A bill to be entitled an act to pardon Robert M'Mannis of the county of Richmond;

Ordered for committee of the whole.

The bill to be entitled an act, to repeal an act, entitled an act to revise and amend the Road laws, so

far as respects the county of Laurens, passed the 14th of December 1815;

Ordered for a 3d reading.

The bill to be entitled an act to alter and amend the 9th section of the 3d article of the Constitution;

Ordered for committee of the whole.

The bill to be entitled an act to alter and change the names of certain persons therein mentioned;

Ordered for committee of the whole.

The bill to be entitled an act to alter the 1st section of the 3d article of the Constitution;

Ordered for committee of the whole.

The bill to be entitled an act to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, &c.

Ordered for committee of the whole.

The bill to be entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks, and other officers belonging to the Middle Judicial circuit of this state;

Ordered for committee of the whole.

The bill to divorce David Terry and Susannah his wife;

Ordered for committee of the whole.

The bill to be entitled an act to restore William Wall and Andrew Guard, two persons of color, to the privilege of piloting vessels, &c.

Ordered for committee of the whole.

The bill to be entitled an act to amend the 5th section of an act for the appointment of county officers, &c.

Ordered for committee of the whole.

The bill to be entitled an act to alter and change the names of certain persons therein mentioned, was read the third time and passed.

The bill to be entitled an act to regulate the town of Marion, was read the third time and passed.

The bill to be entitled an act to incorporate Eatonton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy, was read the third time and passed.

Mr. Lamar from the committee, reported a bill to be entitled an act, to authorise the Commissioners of Baldwin county Academy to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy, which was read the first time.

The bill to be entitled an act, for altering the uniform of the militia officers of the state of Georgia, was taken up and read the 3d time and passed.

Mr. Cleveland from the committee, reported a bill to be entitled an act, in addition to, and amendatory of an act to regulate attachments in this state, which was read the first time.

Mr. Oulens, agreeably to notice, reported a bill to

be entitled an act to authorise the Commissioners of the Academy of Washington county, to dispose of a certain lot in the town of Sandersville, which was read the first time.

Mr. Nowlan presented a memorial from the Justices of the Inferior court of the county of Effingham, which was read and referred to Messrs. Nowlan, Charlton and Wade, a special committee to report thereon.

Mr. Charlton, agreeably to notice, reported a bill to be entitled, an act to vest the election of Clerk of the market of the city of Savannah, in the Mayor and Alderman of said city, which was read the first time.

Mr. Walker gives notice that he will on to-morrow move for a committee to be appointed to prepare and report a bill, to be entitled an act to prevent Boat owners or Patrons from permitting Boat hands or other negroes from trafficking in Corn or other produce, or from carrying the same to market, on board of the Boats accustomed to navigate the river Savannah, between Augusta and Savannah.

Mr. Montgomery notified the Senate, that he will on to-morrow move for a committee to be appointed to prepare and report a bill, to be entitled an act to amend an act, entitled an act for the limitation of actions and for preventing Suits at law, and for repealing some part thereof.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to reform the Penal Code of this state, and to adapt the same to the Penitentiary system; Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported progress and had leave to sit again.

A message from the House of Representatives by Mr. Turner, their clerk:

Mr. President;

I am directed to inform the Senate, that the House of Representatives have added Mr. B. Williams to the joint committee on the State of the Republic.

They have agreed to the amendment of Senate, to the resolution for the election of the Paymaster General.

They have concurred in the resolution appointing Commissioners of the Public Buildings of Twiggs county.

They have passed a resolution appointing Notaries Public, for the county of Richmond.

They have passed a resolution appointing Commissioners to examine Ogeechee river, &c.—and

They have passed the following bills, viz:

A bill supplementary to an act, to amend the several Judiciary acts, so far as relates to Justice courts.

A bill to incorporate the town of Clinton, &c.

A bill to open and keep open the Streets and Alleys in the town of Warrenton—and

A bill to amend an act to incorporate the town of Waynesboro, and for other purposes—and he withdrew.

Ordered, that the said message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

SATURDAY, 16th November, 1816.

The honorable member from Pulaski county had leave to be absent until Tuesday next.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act to pardon Robert M'Mannis—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had made progress and had leave to sit again.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to regulate the duties of Health officer of the port of Savannah, and to establish his fees—Mr. Thomas Mitchel in the chair; Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the bill with amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk:

Mr. President;

I am directed to inform the Senate that the House of Representatives have passed a bill for the relief of Hannah Davis—and

They have concurred in the resolution appointing a Notary Public for the county of Columbia—and

The resolution appointing a Commissioner of the Wilkinson county Academy—and he withdrew.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to pardon Agness Hogg, alias Agness Yates—Mr. Pray in the chair; Mr. President resumed the chair, and Mr. Pray reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate took up the following bills, which were severally read the 2d time, viz:

The bill to be entitled an act in addition to, and amendatory of an act, to regulate attachments in this state.

Ordered for committee of the whole.

The bill to authorise the Commissioners of the Washington county Academy, to dispose of a certain lot in the town of Sandersville, &c.

Ordered for third reading.

The bill to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy.

Ordered for committee of the whole.

The bill to be entitled an act to vest the election of Clerk of the market of the City of Savannah, in the Mayor and Aldermen of said city.

Ordered for 3d reading.

The bill to be entitled an act to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street in the city of Augusta, &c.

Ordered for committee of the whole.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to provide for taking the Census of this state as required by the Constitution, and the same being amended was agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner, their Clerk.

Mr. President;

I am directed to inform the Senate, that the House of Representatives are now ready to receive them in the Representative chamber for the purpose of proceeding to the election of a Paymaster General of this State, six Directors of the State Bank, and two of the Planters' Bank of this State, agreeably to a joint and concurred resolution—and he withdrew.

Whereupon the Senate repaired to the Representative chamber, and being seated, proceeded by joint ballot to said elections, and on counting out the votes, it appeared that John D. Fannin was duly elected Paymaster General of this State, that William B. Bulloch, Tho's U. P. Charlton, Edward Hardden, Andrew G. Semmes, Abraham B. Fannin and Jeremiah Cuyler, Esquires, were duly elected Directors of the State Bank, and that Charles Harris and John Pray, Esquires, were duly elected Directors of the Planters' Bank, on the part of this State.

The Senate then returned to their chamber—and

Adjourned 'till 10 o'clock on Monday.

MONDAY, 18th November, 1816.

Mr. Thomas Mitchell from the committee, report-

ed a bill, amendatory of an act, to authorise the Trustees of the University of this state, to sell the lands belonging to said University, &c. which was read the first time.

Mr. Hopkins presented a petition from sundry inhabitants of M^tIntosh county, which was read, and referred to the committee on Finance.

On motion of Mr. Hudspeth,

Ordered, that Mr. Hogg, be added to the committee on Finance.

The Senate again resolved itself into a committee of the whole, on the bill to pardon Robert M^tManis, of the county of Richmond—Mr. Newsome in the chair—Mr. President resumed the chair, and Mr. Newsome reported, that they had gone through the same without any amendment—and

The Senate took up, and agreed to the report, and the said bill, was read the third time; and on the question, shall this bill now pass? the yeas and nays being required, are yeas 18—nays 18.

Those in the affirmative, are Messrs.

Beasley,	Hardee,	T. Mitchell,
Byne,	Harris,	Pray,
Charlton,	Hogg,	Sorrells,
Cleveland,	Hopkins,	Talbot,
Foster,	Kell,	Wade, and
Hardin,	Knight,	Walker.

Those in the negative, are Messrs.

Blackshear,	Hatcher,	Montgomery,
Burke,	Henly,	Newsome,
Cullens,	Hudspeth,	Nowlan,
Early,	Lamar,	Pope,
Fleming,	Lockhart,	Swain, and
Griffin,	N. Mitchell,	Winberly.

The votes being equal, the president decided in the negative—the said bill was therefore lost.

Mr. Hopkins from the committee reported a bill, to authorize a part of the Camden Battalion, to muster in the town of St. Mary's, which was read the first time.

Mr. Pray from the committee, reported a bill to amend an act, to establish and incorporate an Insurance company, called the Marine and Fire Insurance company of the city of Savannah, which was received and read the first time.

Mr. Thomas Mitchell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill, requiring the Judges of the Superior Courts in this State, to alternate in their several circuits.

On motion of Mr. Blackshear,

Resolved, That Thomas King, be and he is hereby appointed Vendue Master, for the town of Dublin, in the county of Laurens.

Mr. Walker agreeably to notice, moved for a committee to be appointed to report a bill, to be entitled

an act, to prevent boat hands or other negroes from trafficking, in corn or any other produce or from carrying the same to market on board of the boats, accustomed to navigate the river Savannah, between Augusta and Savannah.

Mr. Hopkins called up the Petition of the inhabitants of the Island of St. Simons.

Ordered that the said petition be referred to the committee on the state of the republic.

A message from the House of Representatives by Mr. Turner their Clerk,

Mr. President;

The House of Representatives have passed a bill to be entitled an act, to prohibit slaves from selling certain commodities therein mentioned—and he withdrew.

Ordered, that said message do lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill, to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair—Mr. President resumed the chair—and Mr. Talbot reported progress, and had leave to sit again.

Mr. Henly gives notice, that he will move for a committee to take into consideration, the Governor's communication, so far as respects the transmission to this Branch of the Legislature, the rules prevailing in the respective Circuits for the management of business in the Superior Courts in this state, with power to report by bill or otherwise.

Mr. Walker from the committee, reported a bill to be entitled an act, to prevent Boat owners or Patrons from permitting boat hands, or other negroes from trafficking in corn or other produce, or from carrying the same to market, on board of the boats accustomed to navigate the river Savannah, between Augusta and Savannah, which was read the first time.

Adjourned 'till 9 o'clock to-morrow morning.

TUESDAY, 19th November, 1816.

On motion of Mr. Walker,

The Journal of yesterday was re-considered so far as respects the bill, to pardon Robert M^tManis, of the county of Richmond—and

Ordered, that the said bill do lie on the table.

Mr. Nowlan from the committee, reported a bill, to be entitled an act, to authorise the Inferior court of Effingham, to levy an extra tax, to defray the expense of building a court-house, in said county.

The Senate took up the bill, to pardon Robert M^tManis, of the county of Richmond—and on the question, shall this bill now pass? it was determin-

ed in the affirmative, and the yeas and nays being required, are yeas 20—nays 15.

Those who voted in the affirmative, are messrs.

Beasley,	Harris,	Pray,
Byne,	Hogg,	Reed,
Charlton,	Hopkins,	Sorrells,
Cleveland,	Kell,	Talbot,
Foster,	Knight,	Wade and
Hardin,	T. Mitchell,	Walker.
Hardie,	N. Mitchell,	

Those who voted in the negative, are messrs.

Blackshear,	Griffin,	Newsome,
Burke,	Hatcher,	Nowlan,
Cullens,	Henly,	Pope,
Early,	Hudspeth,	Swain and
Fleming,	Montgomery,	Wimberly.

Mr. Harris agreeably to notice, moved for the appointment of a committee, to report a bill, to regulate the admission of evidence in the courts of Law and Equity in this state—

Ordered, that messrs. Harriss, Early and Charlton, be that committee.

Mr. Thomas Mitchell agreeably to notice, moved for the appointment of a committee, to report a bill, requiring the Judges of the Superior Courts in this state, to alternate in their several circuits.

Ordered, that Messrs. Mitchell, Early and Kell, be that committee.

Mr. Henly agreeably to notice, moves for the appointment of a committee, to prepare and report a bill, to be entitled an act, to take into consideration, the Governor's communication, so far as respects the transmission to this branch of the Legislature, the rules prevailing in the respective circuits, for the management of business, in the Superior Courts in this State.

Ordered, that messrs. Henly, Charlton and Montgomery, be that committee.

Mr. Wade from the joint committee, made the following report :

The joint committee, to whom was referred a petition signed by sundry persons, praying to have the line altered, dividing the counties of Burke & Scriven, are of the opinion that the prayer of the petition is unreasonable and ought not to be granted—and the same being read, was on the question agreed to—and the yeas and nays being required, are yeas 20—nays 16.

Those in the affirmative, are messrs.

Beasley,	Hardin,	T. Mitchell,
Byne,	Hardie,	Nowlan,
Charlton,	Harris,	Pray,
Cullens,	Henly,	Reed,
Early,	Hopkins,	Walker and
Fleming,	Kell,	Wimberly.
Foster,	Knight,	

Those in the negative are, messrs.

Blackshear,	Hudspeth,	Pope,
Burk,	Lockhart,	Sorrells,
Cleveland,	N. Mitchell,	Swain,
Griffin,	Montgomery,	Talbot and
Hatcher,	Newsome,	Wade.
Hogg,		

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to reform the Penal code—Mr. Lamar in the chair, Mr. President resumed the chair, and Mr. Lamar reported progress, and had leave to sit again.

Mr. Hudspeth from the joint committee on Finance, reported as follows :

The joint committee on finance, to whom was referred the petition of Abraham Mallet, late Sheriff of Effingham county, beg leave to report, that after examining the petition and documents accompanying the same, they are of opinion, that the prayer of the Petitioner ought to be granted ; they further beg leave, to offer the following resolution—

Resolved, That the sum of twenty dollars be appropriated to Abraham Mallet, late Sheriff of Effingham county, and that it be inserted in the appropriation.

The following bills were read the 2d time, and ordered for a committee of the whole, viz :

A bill, to amend an act, to establish and incorporate the Marine and Fire Insurance Company, of the City of Savannah.

A bill, to prevent boat Owners, or Patroons, from preventing boat hands, to traffick in corn, &c.

A bill, to amend an act, to authorise the Trustees of the University of this state, to sell the lands belonging to said University—and

The bill to repeal an act, to authorise a part of the Camden battalion, to muster in the town of St. mary's, was read the 2d time—and

Ordered for a third reading.

The following bills were severally read the third time and passed, to wit ;

A bill to authorise the commissioners of the Academy of Washington county, to dispose of a certain lot in Sandersville.

A bill to incorporate the Milledgeville Mechanic Society.

A bill to repeal an act to amend the road laws of this State, so far as respects the county of Laurens—and

A bill to vest the election of Clerk of the market of the city of Savannah in the Mayor and Aldermen of said city.

A message from the House of Representatives by Mr. Turner their Clerk.

Mr. President,

I am directed to inform the Senate, that the House

of Representatives have passed a resolution confirming the Executive appointment of Joseph Hawthron, Esq. a Vendue master for the city of Augusta, in place of Thomas Barrell, Esq. resigned.

A bill to divorce Walker Hickman and Martha his wife, and Lucy Howard and Martin Howard, her husband—and

A bill to divorce Polly Martin and Joseph John Martin, her husband—and he withdrew.

Ordered, that said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, &c.—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported that they had gone through the same without any amendment.

The Senate took up the report, and on motion of Mr. Charlton to substitute in lieu thereof, a bill to authorise John Beck and his heirs to erect mills on Ebenezer mill creek, it was determined in the negative, and the yeas and nays being required, are yeas 8, nays 28.

Those in the affirmative are Messrs.

Blackshear,	Foster,	N. Mitchell, and
Burke,	Griffin,	Swain.
Charlton,	Lamar,	

Those in the negative are Messrs.

Beasley,	Henly,	Newsome,
Byne,	Hogg,	Pope,
Cleveland,	Hopkins,	Pray,
Cullens,	Hudspeth,	Sorrells,
Early,	Kell,	Talbot,
Fleming,	Knight,	Walker,
Hardin,	Lockhart,	Wade and
Hardee,	T. Mitchell,	Wimberly.
Harris,	Montgomery,	
Hatcher,	Nowlan,	

The Senate then agreed to the original report, and the said bill was read the third time, and on the question shall this bill now pass, it was determined in the negative, and the yeas and nays being required, are yeas 16—nays 20.

Those in the affirmative are Messrs.

Byne,	Hopkins,	Pray,
Fleming,	Kell,	Sorrells,
Hardin,	Knight,	Wade and
Hardee,	Newsome,	Wimberly.
Harris,	Nowlan,	
Hatcher,	Pope,	

Those in the negative are Messrs.

Beasley,	Foster,	T. Mitchell,
Blackshear,	Griffin,	N. Mitchell,
Burke,	Henly,	Montgomery,
Charlton,	Hogg,	Swain,
Cleveland,	Hudspeth,	Talbot and

Cullens,
Early,

Lamar,
Lockhart,

Walker.

The Senate resolved itself into a committee of the whole, on the bill to authorise the Commissioners of the Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy—Mr. Kell in the chair, Mr. President resumed the chair, and Mr. Kell reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time; and on the question, shall this bill now pass, it was determined in the affirmative, and the yeas and nays being required, are yeas 26—nays 11.

Those who voted in the affirmative are Messrs.

Blackshear,	Henly,	Newsome,
Charlton,	Hogg,	Nowlan,
Cullens,	Hopkins,	Pray,
Early,	Kell,	Reed,
Fleming,	Knight,	Talbot,
Foster,	Lamar,	Wade,
Hardin,	Lockhart,	Walker and
Hardee,	T. Mitchell,	Wimberly.
Harris,	N. Mitchell,	

Those in the negative are Messrs.

Beasley,	Griffin,	Pope,
Burke,	Hatcher,	Sorrells and
Byne,	Hudspeth,	Swain.
Cleveland,	Montgomery,	

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the fifth section of an act for the appointment of county officers, passed 16th February 1799—Mr. Blackshear in the chair—Mr. President resumed the chair, and Mr. Blackshear reported that they had gone through the same without any amendment.

The Senate took up the report, and the same being read was amended.

Whereupon the said bill was read the third time and passed.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to reform the Penal Code—Mr. Tho's Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to enable the Executors of the last Will and Testament of John Hardin, dec'd to carry the same into effect—Mr. Cleveland in the chair, Mr. President resumed the chair, and Mr. Cleveland reported that they had gone through the same without any amendment—and

Ordered, that the said bill do lie on the table the balance of the session.

WEDNESDAY, 20th November, 1816.

Ordered, that the bill to amend the 9th section of the 3d article of the Constitution, lie on the table the balance of the session.

The Senate resolved itself into a committee of the whole on the bill to change the names of certain persons therein mentioned—Mr. Hopkins in the chair—Mr. President resumed the chair, and Mr. Hopkins reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to make valid the proceedings of the officers of the Middle Judicial district of this state—Mr. Nowlan in the chair; Mr. President resumed the chair, and Mr. Nowlan reported, that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to alter the first section of the 3d article of the Constitution of this state—Mr. Byne in the chair; Mr. President resumed the chair, and Mr. Byne reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time, and on the question shall this bill now pass, it was determined in the negative.

Ordered, that the bill to alter the 12th section of the first article of the Constitution of this state, do lie on the table the balance of the session.

Mr. Nowlan from the committee, reported as duly enrolled and signed by the Speaker, an act to pardon Agness Hogg, alias, Agness Yates—and

An act to pardon Robert M'Mannis of the county of Richmond, which were severally signed by the President.

Ordered, that the committee do carry said acts to His Excellency the Governor for his revision.

The bill to authorise the Trustees of the Richmond Academy to lay off and sell a range of lots in the city of Augusta, &c. was read the third time and passed.

Mr. Hogg presented a petition from Abihu Sewell, praying to be divorced from his wife which was read and referred to the committee on Divorce bills.

Mr. Foster presented a petition from the Commissioners of the town of Wrightsboro together with a counter petition signed by Pierson Petit in behalf of himself and other inhabitants of said town, which were read and referred to the committee on Petitions.

Adjourned 'till 9 o'clock to-morrow morning.

On motion of Mr. Wade,
The Journal of yesterday was re-considered so far as respects the report of the committee, on the petition of sundry inhabitants of Burke county, praying to be added to the county of Scriven.

Ordered, that the same do lie on the table.

On motion of Mr. Nowlan,
The Journal of yesterday was re-considered, so far as respects the bill, to repeal an act, authorising John Martin Dasher, to keep open and improve the navigation of Ebenezer mill creek, &c.

Ordered, that the said bill do lie on the table.

On motion of Mr. Cullens,
Resolved, That, Tilman Dixon, Morgan Brown, John T. Rieves and Henry Crowell be, and they are hereby appointed Commissioners of the Academy of Washington county, in place of Jesse Jordan, George Franklin and Francis Tennell, dec'd, and John Howard, removed.

Mr. Foster from the committee, reported a bill, for the better regulation and government of the village of Appling, &c. which was read the first time.

The bill, to authorise the Inferior Court of Effingham county, to levy an extra tax, &c. was read the second time.

Ordered for a third reading.

The bill, to repeal an act, authorising a part of the Camden battalion, to muster in St. Mary's, was taken up, read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill, to amend an act, authorising the Trustees of the University of this State, to sell the Lands belonging to said University, &c.—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported, that they had gone through the same with an amendment.

The Senate took up and agreed to the report, whereupon, the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Furner their Clerk.

Mr. President;

The House of Representatives have passed a resolution, for the relief of certain Widows and Orphans—and

They have passed the following bills, to wit:

A bill, to secure the exclusive right of running a line of Stages, to Robert H. M'Rea and Richard H. Long, &c.

A bill, to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property both real and personal, of which Elisha Brothers, died possessed.

A bill, to prevent the circulation of notes emitted by unchartered Banks, &c.—and

A bill, to divorce and separate John Douglass and Jane, his wife—and he withdrew.

Ordered, that the said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, securing to William Wall and Andrew Guarde, two persons of colour, the privilege of piloting vessels to and from the several ports of this State—mr. Early in the chair—mr. President resumed the chair, and mr. Early reported, that they had gone through the same with an amendment.

Ordered, that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to vest the estates real and personal of Noel Faming, deceased, in Thomas U. P. Charlton, and his heirs—mr Harris in the chair—Mr. President resumed the chair, and Mr. Harris reported, that they had gone through the same without any amendment.

The Senate took up, and agreed to the report ; whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill amendatory of an act, to regulate attachments in this state—Mr. Henly in the chair—Mr. President resumed the chair, and Mr. Henly reported, that they had gone through the same with an amendment.

The Senate took up the report, which was read and agreed to—

Whereupon the said bill was read the third time, and on the question, shall this bill now pass ? it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Hardee,	N. Mitchell,
Burke,	Hatcher,	Newsome,
Byne,	Henly,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Kell,	Reed,
Fleming,	Knight,	Sorrells,
Foster,	Lamar,	Swain, and
Hardin,	Lockhart,	Walker.

Those in the negative, are Messrs.

Blackshear,	Harris,	Montgomery,
Cullens,	Hopkins,	Talbot,
Early,	Hudspeth,	Wade, and
Griffin,	T. Mitchell,	Wimberly,

The Senate resolved itself into a committee of the whole, on the bill, to prevent boat hands trading in corn or other produce, &c.—Mr. Wimberly in the chair—Mr. President resumed the chair, and Mr. Wimberly reported, that they had gone through the same without any amendment.

The Senate took up and agreed to the report,

and the said bill was read the third time and passed.

Mr. Henly from the committee, reported as follows, which was agreed to, to wit :

The committee on petitions, to whom was referred, the petition of the Commissioners of the town of Wrightsboro, praying the further extension of power to the Commissioners—

The said committee have had the same under their consideration, and report that they have examined the act incorporating the said town of Wrightsborough, and are of opinion, that it gives ample power to the Commissioners thereof, to pass such bye laws for the preservation of peace and good order within the same.

Mr. Lamar presented a petition from Lemuel Vickers, which was read and referred to a select committee, consisting of Messrs. Lamar, Henly and Hardin.

The Senate took up the several messages from the House of Representatives, and the several bills therein contained, were read the first time, except the divorce bills, which were ordered to lie on the table—and the several resolutions concurred in, except the resolution for the relief of certain Widows and Orphans, which was ordered to lie on the table.

Mr. Harris from the committee, reported a bill, to be entitled an act, to regulate the admission of evidence, in Courts of Law and Equity, in certain cases, which was read the first time.

The Senate again resolved itself into a committee of the whole, on the bill, to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported progress, and had leave to sit again.

Mr. Knight from the committee, reported a bill, to be entitled an act, to compel persons not residing in the counties of Glynn, Camden and Wayne, owning or claiming lands in either of the said counties, surveyed prior to the year 1800, to have the said lands re-surveyed, and mark out their lines anew, within two years after the passing of this act, which was received and read the first time.

Adjourned 'till 10 o'clock to morrow morning.

THURSDAY, 21st November, 1846.

On motion of Mr. Walker,

Mr. Lockhart had leave of absence 'till next Monday week.

Mr. Tho's Mitchell from the committee, reported a bill to require the Judges of the Superior courts of the several circuits of this state, to alternate in their said circuits, which was read the first time.

On motion of Mr. Wimberly,
Resolved, That Moses Wheate be, and he is hereby appointed a commissioner of the Public buildings of Twiggs county, in place of James M'Cormick, resigned.

On motion of Mr. Byne,
 Ordered, that the report of the committee on the petition of part of the inhabitants of Burke county, to be added to Scriven, do lie on the table the balance of the session.

On motion of Mr. Hardec,
Resolved, That William Bailie be, and he is hereby appointed a Commissioner of Camden county Academy, in place of William Scott, deceased.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair; Mr. President resumed the chair, and Mr. Talbot reported that they have gone through the bill with amendments.

The Senate took up the report by sections.

On motion,
 That the 38th and 39th sections in the words following, be stricken out of said bill, to wit:—"Adultery is the violation of the sanctity of the marriage bed.

"Adultery shall be punished by solitary imprisonment in the Penitentiary for a term not less than one year, nor longer than three years, and upon a second conviction, by imprisonment at hard labor in the Penitentiary, for any time not less than three years, nor longer than five years"—and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 22—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Harris,	Newsome,
Byne,	Hatcher,	Pray,
Cleveland,	Henly,	Swain,
Cullens,	Hogg,	Wade,
Fleming,	Knight,	Walker and
Foster,	Lamar,	Wimberly.
Hardin,	Lockhart,	
Hardee,	T. Mitchell,	

Those in the negative, are Messrs.

Blackshear,	Griffin,	Pope,
Burke,	Hudspeth,	Reed,
Charlton,	Kell,	Sorrells, and
Early,	Montgomery,	Talbot.

Ordered, that the further progress in the said bill be postponed for the present.

Ordered, that the member from Washington county, and the member from Twiggs county, have leave of absence until Monday 12 o'clock.

A message from the House of Representatives, by Mr. Turner their Clerk.

Mr. President;

The House of Representatives have passed a bill to vest the interest of this state to certain property therein named, in the heirs of Adam Ross, deceased.

A bill to amend an act to incorporate a Bank to be called the Bank of the State of Georgia—and

A bill to authorise the Inferior court of Burke county, to cause the records of said county to be transcribed.

They have passed a resolution appointing Notaries Public for the county of Camden.

One appointing a Notary Public for the town of Dublin.

One authorising and requiring the Justices of the Inferior courts of the several counties of this state to ascertain the circumstances of the families of those who lost their lives in the late war, &c.—and

One appointing a joint committee to examine into the state of the funds of Franklin College—and he withdrew.

Ordered, that the said message do lie on the table.

Adjourned 'till 9 o'clock to-morrow morning.

FRIDAY, 22d November, 1816.

Mr. Hudspeth from the committee of Finance, to whom was referred the petition of Jeremiah Sparks, reported, to wit;

The joint committee on Finance, to whom was referred the petition and accompanying documents of Jeremiah Sparks, Tax Collector of Morgan county, beg leave to submit the following report;

That they have taken the same into consideration and are of opinion, that his case is such an one as requires legislative interference, and therefore recommend the following resolution:

Resolved, That his Excellency the Governor be, and he is hereby authorised and required to stay all proceedings against the said Jeremiah Sparks, Tax Collector of Morgan county for the year 1815, so far as relates to the balance of tax due the state for said year, upon his, the said Sparks, giving bond with two good securities for the said balance, to be approved by the Inferior court of said county, or a majority of them, payable at the expiration of two years, not bearing interest till due, and that the Comptroller General be directed not to charge him interest until the expiration of two years—and the same being read, was

Ordered to lie on the table.

Mr. Hardin from the committee, reported a bill to

define the South boundary of McIntosh county, which was read, and

Ordered to lie on the table the balance of the session

The Senate took up the message from the House of Representatives, laid on the table yesterday, and the several bills were read the first time, and the resolutions concurred in—and

A committee consisting of Messrs. Hudspeth, Early, Charlton, Montgomery and T. Mitchell, added on the part of Senate, to the resolution of the House of Representatives, to examine into the state of the funds of Franklin College.

The Senate resolved itself into a committee of the whole on the bill to amend an act to establish and incorporate an Insurance company, called the Marine and Fire company of the city of Savannah, passed 16th December 1815—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported that they had gone through the same without amendment.

Ordered, that the report do lie on the table.

Mr. Hogg presented a petition from sundry citizens of the county of Greene, which was read and referred to the members of the counties of Greene and Morgan.

The Senate again took up the report of the committee of the whole, on the bill to reform the Penal Code.

On motion of Mr. Foster,

That the 70th section of said bill be amended by inserting the following proviso;

"*Provided Nevertheless*, That nothing contained in this and the preceding sections, shall be so construed as to operate against Executors, Administrators, Guardians or copartners;" and on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 11, and nays 21.

Those in the affirmative are Messrs.

Blackshear,	Harris,	Sorrells,
Byne,	Hatcher,	Swain and
Charlton,	Hogg,	Wade.
Foster,	Newsome,	

Those in the negative are Messrs.

Beasley,	Hardee,	N. Mitchell,
Burke,	Henly,	Montgomery,
Cleveland,	Hopkins,	Pope,
Early,	Hudspeth,	Pray,
Fleming,	Kell,	Reed,
Griffin,	Lamar,	Talbot and
Hardin,	T. Mitchell,	Walker.

The said report was then agreed to, with sundry amendments, and the said bill was read the third time and passed.

A message from the House of Representatives, by Mr. Turner, their clerk :

Mr. President ;

The House of Representatives have passed the following bills ;

A bill, to divorce Polly Royston and John Royston her husband.

A bill, to divorce Patience Patterson and John Patterson, her husband.

A bill, to be entitled an act, to alter and amend an act, entitled an act, to keep open the main channel of Broad river, and for other purposes therein named.

A bill, to appoint Trustees for Twiggs county Academy.

A bill, to authorise James Rousseau, to build a bridge over the Oconee river.

A bill, to be entitled an act, to alter and amend the Estray laws, now in force in this state—and

A bill, to amend an act, to keep open, remove and prevent obstructions in Savannah river—and he withdrew.

Ordered, that the said message do lie on the table.

The President of Senate, had leave of absence 'till Monday next, 12 o'clock—and Mr. Talbot was appointed President *pro-tem*.

On motion of Mr. Foster,

Resolved, That the Secretary be directed to inform the House of Representatives, that the Senate has appointed the Hon. Mathew Talbot, President *pro-tem*. until the return of the President.

Adjourned 'till 10 o'clock to-morrow morning.

SATURDAY, 23d November, 1816.

Resolved, That the honorable William Byne have leave of absence for a few days.

The Senate took up the report of the committee on the petition of Jeremiah Sparks, and the same being again read, was agreed to.

Mr. Henly from the committee on petitions, reported, to wit :

The committee on petitions, to whom was referred the petition of George Paris, praying the Legislature to request the Governor to commission two persons in the said petition named, as Magistrates to act as such in that unlocated part of the Indian Territory, within the chartered limits of this state, adjacent to the counties of Franklin, Jackson and Clark, the committee report that there is no power in the Executive to commission any person as a magistrate, until an election had taken place in the district where the person intended to be commissioned resides, and that district laid out and organized as

pointed out by the Constitution and laws of this state, which was read and agreed to.

Mr. Hardin from the committee reported a bill to authorise the Secretary of State to record the signatures of several Governors of this state, on the registry of Grants, and to make legal the copies of the same, which was read the first time.

Mr. Hardin presented a petition from A. D. Sanders, which was read and referred to a committee consisting of messrs. Hardin, Montgomery, Hudspeth, Foster, Early, Blackshear and Lamar, to report thereon.

The following bills were taken up and severally read the 2d time.

The bill to vest in Esther Johnson and James Johnson, their heirs and assigns, the property, both real and personal, of which Elisha Brothers died possessed.

Ordered for committee of the whole.

The bill, to prevent the circulation of notes emitted by unchartered banks, &c.

Ordered for committee of the whole.

The bill to be entitled an act to secure to Robert H. M'Rae and Richard H. Long, the exclusive right of running a line of Stages, &c.

Ordered for committee of the whole.

The bill to prohibit slaves from trading in certain commodities, &c.

Ordered for committee of the whole.

The bill, entitled an act, supplementary to an act, entitled an act to amend the several Judiciary acts, &c.

Ordered for committee of the whole.

The bill to incorporate the town of Clinton.

Ordered for a third reading.

The bill to amend an act to incorporate the town of Waynesborough.

Ordered for committee of the whole.

The bill for the relief of Hannah Davis.

Ordered for committee of the whole.

The bill to regulate the admission of evidence in courts of law and equity in certain cases.

Ordered for committee of the whole.

The bill to open and keep open the Streets and Alleys in the town of Warrenton.

Ordered for committee of the whole.

The bill requiring the judges to alternate in their several circuits.

Ordered for committee of the whole.

The bill to be entitled an act to compel persons not resident in the counties of Camden, Glynn, and Wayne, owning land in either of said counties, surveyed prior to the year 1800, to have the said lands re-surveyed.

Ordered for committee of the whole.

The bill to amend an act to incorporate a Bank, to be called the Bank of the State of Georgia.

Ordered for committee of the whole.

The bill to be entitled an act to authorise the Justices of the Inferior court of Burke county, to cause the records of the court of Ordinary to be fairly transcribed.

Ordered for committee of the whole.

The bill to be entitled an act to vest the interest of this state to certain property therein named; in the heirs of Adam Ross.

Ordered for committee of the whole.

And the bill to appoint Commissioners for the better regulation and government of the village of Appling.

Ordered for committee of the whole.

The bill, to be entitled an act, to authorise the Justices of the Inferior court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court-house in said county, and to authorise them to sell and dispose of a decayed brick building, in the town of Ebenezer, was taken up, read the third time, and passed.

The Senate took up the report, on the bill, to be entitled an act, to authorise Wm. Wall and Andrew Guarde, to pilot vessels, and the same being read, was agreed to—and on the question, shall this bill lie on the table the balance of the session? it was determined in the negative—and the yeas and nays being required, are yeas 14—nays 16.

Those in the affirmative are Messrs.

Blackshear,	Harris,	Reed,
Burke,	Hatcher,	Sorrells,
Cleveland;	Knight,	Swain and
Foster,	N. Mitchell,	Wade.
Griffin,	Newsome,	

Those in the negative are Messrs.

Beasley,	Henly,	T. Mitchell,
Charlton,	Hogg,	Montgomery,
Early,	Hopkins,	Pope,
Fleming,	Hudspeth,	Pray, and
Hardin,	Lamar,	Walker.
Hardee,		

The bill was then read the third time—and on the question, shall this bill now pass? it was determined the negative—and the yeas and nays being required, are yeas 14—nays 16.

Those in the affirmative are Messrs.

Charlton,	Henly,	Montgomery,
Early,	Hudspeth,	Pope,
Fleming,	Kell,	Pray, and
Hardin,	Lamar,	Walker.
Hardee,	T. Mitchell,	

Those in the negative are Messrs.

Beasley,	Harris,	Newsome,
Blackshear,	Hatcher,	Reed,

Burke,	Hogg,	Sorrells,
Cleveland,	Knight,	Swain and
Foster,	N. Mitchell,	Wade.
Griffin,		

The Senate took up the report of the committee, on the bill to be entitled an act, to amend an act, to establish and incorporate the Marine and Fire Insurance Company—and the same being amended, was agreed to—

Whereupon, the said bill was read the third time and passed, under the title of an act, to repeal the 5th section of an act, passed the 16th Dec'r, 1815, entitled an act to establish and incorporate an Insurance Company, called the Marine and Fire Insurance Company of the City of Savannah.

A message from the House of Representatives by Mr. Turner, their clerk :

Mr. President ;

The House of Representatives have concurred in the resolution appointing Moses Wheat, a Commissioner of the public buildings of Twiggs county.

In the resolution appointing Thomas B. Rutherford, a Notary Public, for the county of Washington.

In the resolution appointing Solomon Worrell and David Roland, Commissioners of the Wilkinson county Academy.

In the resolution appointing Thomas King, Vendue-Master, of the town of Dublin.

In the resolution appointing Tilman Dixon, Morgan Brown, John T. Rieves and Henry Crowell, commissioners of the Academy of Washington county.

In the resolution appointing William Bailie, a Trustee of Camden county Academy.

They have concurred in the appointment of a committee, on the petition of the Inhabitants of Warren and Columbia, and have appointed a committee on their part.

They have passed the bill from Senate, to incorporate the town of Irwinton, in the county of Wilkinson—and

The bill from Senate, to change the names of John W. Samuel, and Thomas Y. Myrick.

They have passed a bill, for the relief of Thomas Wood.

A bill, to repeal an act, respecting Vendue-Masters, so far as the same respects and limits the number of Vendue-Masters for the City of Augusta.

A bill, to amend an act, regulating the granting of Certioraries and Injunctions in this state.

A bill, to incorporate the town of Darien.

A bill, to secure to Daniel Hotchkiss, the right of running a line of Stages, between Savannah and Milledgeville.

A bill, to authorise Russel Goodrich, and others, to open a road, &c.—and he withdrew.

Ordered, that the message do lie on the table.

Mr. Walker form the joint military committee, reported a bill, to be entitled an act, to amend the several military laws of this State, which was read the first time.

The Senate took up the message from the House of Representatives, of yesterday, and the several bills were read the first time.

Ordered, that the Hon. Francis Hopkins, from the county of McIntosh, and the Hon. John Kell, of Liberty county, have leave of absence for the remainder of the session.

Adjourned 'till 10 o'clock Monday morning.

MONDAY, 25th November, 1816.

The Senate re-considered the minutes of Saturday so far as respects the bill to be entitled an act to authorise William Wall and Andrew Guarde to pilot vessels—and

Ordered that the bill do lie on the table.

Mr. Hudspeth from the joint committee on Finance, reported.

The joint committee on Finance to whom was referred the Treasurer's Abstract, have examined the same and compared it with the books of the Treasury, and find them to agree. They are happy in stating that the conduct of this department entirely meets their approbation, which was read and agreed to.

Mr. Fleming notified the Senate that he will on to-morrow move for the appointment of a committee to prepare and report a bill to authorise the Judge of the Superior court of the Middle circuit to hold an extra session of the Superior court in the county of Jefferson.

Mr. Early presented a petition from the inhabitants of the town of Greensborough which was read and referred to a special committee.

Ordered, that Messrs Early, Walker and T. Mitchell, be that committee.

The following bills were severally taken up and read the 2d time—and

Ordered for committee of the whole.

The bill to be entitled an act to authorise James Rousseau to build a bridge over the Oconee river.

The bill to be entitled an act to alter and amend an act, entitled an act to keep open the main channel of Broad river, and for other purposes therein named.

The bill to be entitled an act to appoint Trustees for Twiggs county Academy, and to incorporate the same.

The bill to be entitled an act to alter and amend the several Estry laws now in force in this state.

The bill to be entitled an act, making provision for organizing, assembling and disciplining a certain portion of the militia of the state of Georgia—and

The bill to amend the militia laws of this state.

The bill to be entitled an act to incorporate the town of Clinton in the county of Jones, and for the appointment of commissioners for the better regulation and government of said town, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property, both real and personal of which Elisha Brothers, died, possessed—mr. Charlton in the chair; mr. President resumed the chair, and mr. Charlton reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 27—nays 2.

Those in the affirmative are Messrs.

Beasley,	Hardin,	Montgomery,
Blackshear,	Hardee,	Newsome,
Burk,	Hatcher,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Hudspeth,	Reed,
Early,	Knight,	Sorrells,
Fleming,	Lamar,	Swain,
Foster,	T. Mitchell,	Wade and
Griffin,	N. Mitchell,	Walker.

Those in the negative are, messrs.

Harris and Henly.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act to incorporate a Bank to be called the Bank of the State of Georgia—mr. Hudspeth in the chair; mr. President resumed the chair, and mr. Hudspeth reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to secure to Robert H. M'Rea and Richard H. Long, the exclusive right and privilege of running a line of Stage carriages from Augusta to Athens—mr. Pray in the chair; mr. President resumed the chair, and mr. Pray reported that they had gone through the bill without any amendment. The said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend the several Judiciary acts so far as relates to Justices courts—mr. T. Mitchell in the chair; mr. President resumed the

chair, and mr. Mitchell reported that they had gone through the bill without amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Hannah Davis, widow of Thomas Davis, deceased—mr. Foster in the chair; mr. President resumed the chair, and mr. Foster reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein mentioned—mr. Blackshear in the chair—mr. President resumed the chair, and mr. Blackshear reported that they had gone through the bill with amendments.

The Senate took up the report, which was amended and agreed to.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to regulate the admission of evidence in courts of law and equity in certain cases—mr. Hardee in the chair; mr. President resumed the chair, and Mr. Hardee reported that they had gone through the bill without amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to compel persons, not residents in the counties of Camden, Glynn and Wayne, owning land in either of said counties, run prior to the year 1800, to come forward and re-survey their lands—Mr. Cleveland in the chair—mr. President resumed the chair, and Mr. Cleveland reported progress, and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to vest the interest of this state, to certain property therein named, in the heirs of Adam Ross, late of Greene county, deceased—mr. Newsome in the chair—mr. President resumed the chair, and mr. Newsome reported, that they had gone through the bill without amendment.

The said bill was read the third time, and passed.

The Senate resolved itself into a committee of the whole on the bill, appointing Commissioners for the Village of Appling—Mr. Walker in the chair—mr. President resumed the chair, and mr. Walker reported, that they had gone through the same without amendment—

Whereupon, the said bill was read the third time, and passed.

Mr. Walker presented a petition from a person of colour, called and known by the name of Cæsar

Kennedy ; which was read and referred to a special committee.

Ordered, that Messrs. Walker, Foster and Hudspeth, be that committee.

The Senate resolved itself into a committee of the whole, on the bill to divorce Thomas Jones, and Nancy his wife—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the bill without amendment—

Whereupon, the said bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 4.

Those in the affirmative are Messrs.

Beasley,	Henly,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Hudspeth,	Reed,
Early,	Knight,	Sorrells,
Fleming,	T. Mitchell,	Swain,
Hardin,	N. Mitchell,	Wade and
Hardee,	Montgomery,	Walker.
Harris,	Newsome,	

Those in the negative are Messrs.

Blackshear,	Foster, and
Burke,	Griffin.

Mr. Harris agreeably to notice, reported a bill, to be entitled an act, to appoint Commissioners for the improvement of the navigation of the Ocmulgee river, which was read the first time.

Mr. Charlton from the committee, to whom was referred, the petition of the Executors of John Gibbons, reported, which was read—and

Ordered to lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

TUESDAY, 26th November, 1816.

The President of Senate, having returned, took his seat.

Mr. Hudspeth presented a petition from sundry Militia Officers, which being read was referred to the Military Committee, on the part of Senate.

A message from the House of Representatives by Mr. Turner, their Clerk :

Mr. President ;

The House of Representatives have passed a resolution, appointing Elias Fort, a Notary Public for the City of Savannah.

A resolution for the relief of Stephen W. Moore, of the county of Camden.

They have had before them the petition from Jackson county, for the removal of the site of the

Public Buildings in said county, and have referred the same to the joint members of the counties of Jackson, Franklin and Madison.

And they have referred a petition from some of the inhabitants of the county of Burke, to the joint members of the counties of Burke and Jefferson—and he withdrew.

Ordered, that the said message do lie on the table.

Mr. Montgomery reported a bill, to be entitled an act, to amend an act, entitled an act, for the limitation of actions and for avoiding suits at law, which was read the first time.

Agreeably to notice, Mr. Fleming moved for a committee, to report a bill, to authorise the Judge of the Superior Courts of the middle Circuit, to hold an extra session of the Superior court, in the county of Jefferson.

Ordered, that Messrs. Fleming, Byne and Walker be that committee.

Mr. Lamar called up the report of the committee to whom was referred the petition of Lemuel Vickers, in the words following:

That the committee are of opinion the prayer of the petitioner is reasonable and ought to be granted.

Therefore, they respectfully submit the following resolution:

Resolved, That the Commissioners of the town of Milledgeville be, and they are hereby authorised to lease, free of rent, twenty acres of cleared lands on the Common of said town for the term of three years, to Lemuel Vickers. The land at the expiration of said term to be left with a good enclosure or lawful fence—and the said report being read, was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to carry into effect the Penal Code of this state, and the Penitentiary system, founded thereon—Mr. Foster in the chair; Mr. President resumed the chair, and Mr. Foster reported that they had gone through the same with amendments.

Ordered, that the said report do lie on the table.

Mr. Newsome from the committee of enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, an act to divorce and separate Nancy Jones and Thomas Jones, her husband—which was presented to and signed by the President of Senate.

Ordered, that the committee of enrolment do carry said act to His Excellency the Governor, for his revision.

Adjourned 'till 10 o'clock to-morrow morning.

WEDNESDAY, 27th November 1816.

On motion of Mr. Hudspeth,

Resolved, That a committee be appointed to join such committee as may be appointed by the House of Representatives to call on the Commissioners of the Penitentiary Edifice, to know what progress has been made in said building, during the present year, and that said Commissioners make their report to both branches of the Legislature forthwith ;

Ordered, that Messrs. Hudspeth, Early and Talbot, be the committee on the part of Senate.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to regulate the admission of evidence in the courts of law and equity of this state in certain cases, and the same being read was amended and agreed to.

Whereupon, the said bill was read the third time and passed.

Mr. Hogg presented a petition from Edward Pate, which was read and referred to a special committee.

Ordered, that Messrs. Hogg, T. Mitchell and Early be that committee.

Mr. Walker reported a bill, to be entitled an act to emancipate a negro slave named Cæsar, commonly called Cæsar Kenedy, and to carry into effect the last Will and Testament of William Kenedy, late of Richmond county, deceased ; which was received and read the first time.

Mr. Fleming reported a bill to be entitled an act to authorise the Judge of the Superior courts of the Middle circuit, to hold an extra session in the county of Jefferson ; which was read the first time.

Mr. Charlton had leave to report a bill to be entitled an act to incorporate the Steam-Boat Company of the State of Georgia ; which was read the first time.

The bill to be entitled an act to appoint Commissioners for the improvement of the navigation of the Ocmulgee river, and for other purposes, was read the second time, and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to authorise James Rousseau to build a Bridge over the Oconee river at or near his Ferry, on the main road leading from Milledgeville to Augusta and Savannah—Mr. Montgomery in the chair ; Mr. President resumed the chair, and Mr. Montgomery reported that they had gone through the bill without amendment.

The Senate agreed to the report and the said bill was read the third time and passed.

The bill to be entitled an act, to amend an act, entitled an act for limitation of actions and for avoiding suits at law, was read the 2d time—and

Ordered for committee of the whole.

The bill to be entitled an act to appoint Trustees for Twiggs county Academy and to incorporate the

same and for other purposes, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act, entitled an act to incorporate the town of Waynesborough, in the county of Burke, and to vest certain powers in the Commissioners thereof—Mr. Pray in the chair ; Mr. President resumed the chair, and Mr. Pray reported that they have gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

Mr. Newsom from the committee to contract for printing the Laws and Journals of the present session, reported the following resolution :

Resolved, That Seaton and Fleming Grantland have the Public Printing of the Laws and Journals of this state, for the political year 1846, at the same price and on the same conditions as for the preceding year—which was read and agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the several Estray laws in force in this state—Mr. Blackshear in the chair ; Mr. President resumed the chair, and Mr. Blackshear reported that they had gone through the same without amendment.

Whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the Militia laws of this state so far as respects the grade of Field Officers, and to adapt the same to the law of Congress—Mr. T. Mitchell in the chair ; Mr. President resumed the chair, and Mr. Mitchell reported that they had disagreed to the bill.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, requiring the Judges of the Superior courts to alternate in their respective circuits—Mr. Talbot in the chair ; Mr. President resumed the chair, and Mr. Talbot reported progress, and that they have leave to sit again in June next.

The Senate took up the report, and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Hatcher,	Reed,
Blackshear,	Henly,	Sorrells,
Burke,	Hogg,	Swain,
Cullens,	Knight,	Wade,
Fleming,	Lamar,	Walker and
Foster,	N. Mitchell,	Wimberly.
Griffin,	Pope,	

Those in the negative, are Messrs.

Charlton,	Hardee,	Montgomery,
Cleveland,	Harris,	Newsome,
Early,	Hudspeth,	Pray and
Hardin,	T. Mitchell,	Talbot.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act to keep open the main channel of Broad river, passed on the 13th December, 1809—mr. Lamar in the chair; mr. President resumed the chair, and mr. Lamar reported that they had gone through the same with an amendment.

The Senate took up the amendment and the same was agreed to.

Whereupon, the said bill was read the third time and passed as amended.

The Senate again took up the bill to be entitled an act to restore William Wall and Andrew Guarde, two persons of color, to the privilege of piloting vessels in the several ports of this state, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are, yeas 19—nays 11.

Those in the affirmative, are messrs.

Blackshear,	Hardee,	N. Mitchell,
Charlton,	Henly,	Montgomery,
Cullens,	Hudspeth,	Pope,
Early,	Knight,	Reed,
Fleming,	Lamar,	Talbot and
Hardin,	T. Mitchell,	Walker.

Those in the negative, are messrs.

Beasley,	Griffin,	Sorrells,
Burke,	Harris,	Swain and
Cleveland,	Hogg,	Wimberly.
Foster,	Newsome,	

The Senate took up the report of the committee of the whole, on the bill to be entitled an act supplementary to an act, entitled an act, to amend the several Judiciary acts now in force in this state, so far as relates to Justices courts, passed the 14th day of December, 1811, and the same being read, was

Ordered to lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, to incorporate a Bank to be called the Bank of the State of Georgia—mr. Newsome in the chair; mr. President resumed the chair, and mr. Newsome reported that they had gone through the bill with an amendment.

The Senate took up the amendment, which was amended and the report agreed to.

Whereupon, the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk,

Mr. President;

The House of Representatives have passed sundry bills on divorces—and he withdrew.

The Senate took up the several messages from the House of Representatives, and the said several bills were read the first time—and

The resolutions therein were concurred in, except the resolution requiring a petition from part of Burke to be referred to the members of Burke and Jefferson counties, which was

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President;

The House of Representatives have passed a resolution that the Legislature will proceed on to-morrow, to the election of an Elector for President and Vice President of the United States, in place of Charles Harris, Esq. who declines attending for that purpose—and he withdrew.

The Senate took up the resolution, and the same being read, was concurred in.

Mr. Newsome from the committee of enrolment, reported as duly enrolled,

An act entitled an act to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property, both real and personal, of which one Elisha Brothers, deceased, late of Warren county, died possessed.

Which was presented to, and signed by the President of Senate.

Ordered, that the committee do carry said act to His Excellency the Governor for his revision.

A message from the His Excellency the Governor by Mr. Heath his Secretary;

Mr. President,

I am directed by His Excellency the Governor, to notify this branch of the Legislature, that he has approved and signed three resolutions which originated in this house.

One appointing a Notary Public for the county of Columbia.

One appointing Commissioners of the Public Buildings in the county of Twiggs—and

One appointing a Commissioner of the Academy of the county of Wilkinson.

I am directed also to lay before Senate a Communication, inclosing the resignation of the Honorable Charles Harris, an elector for President and Vice President of the United States—and he withdrew.

Ordered, that the message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

THURSDAY, 28th November, 1846.

The Senate re-considered the Journal of yesterday, so far as respects the bill, requiring the Judges of the Superior Courts to alternate.

Ordered that the said bill do lie on the table.

Mr. Newsome from the committee of enrolment, reported as duly enroled, & signed by the Speaker of the House of Representatives, the following acts :

An act, to incorporate Eatonton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy.

An act, to incorporate the Milledgeville Mechanic Society.

An act, to incorporate the town of Irwinton, in the county of Wilkinson.

An act, to alter and change the names of John W. Samuel and Thomas Y. Myrick, to that of John W. Samuel and Thomas Y. Berry—which were severally signed by the President of Senate.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President :

The House of Representatives have passed a bill, to impose an additional tax on Pedlars and other Itinerant traders.

Mr. Early notified the Senate, that he will on tomorrow move for the appointment of a committee, to prepare and report a bill, amendatory of the several acts relating to the town of Greensborough.

Mr. Cullens notified the Senate, that he will on tomorrow, move for the appointment of a committee to prepare and report a bill, admitting bills of sale and other conveyances of personal property, to record, and authorising copies thereof to be admitted as evidences in certain cases.

On motion of Mr. Hogg,

Be it resolved by the Senate and House of Representatives, in General Assembly met, That the sums herein specified, be, and the same shall hereafter be severally paid to each widow, who now resides within the limits of this state, and whose husband lost his life in the service of this state, or that of the United States, during the last war between the United States and Great Britain.

To a widow having no children, ten dollars per annum.

To a widow having one, and not more than three children, fifteen dollars per annum.

To a widow having four, and not more than six children, twenty dollars per annum.

And all over six children, thirty dollars per annum.

And be it further resolved, That the Justices of

the Inferior Court in each county in this state, or a majority of them, on application made by such widow, and sufficient proof being made, that she is the widow of such deceased husband, and also, of the number of children she has living, it shall be the duty of said Justices, to certify the same to His Excellency the Governor.

And be it further resolved, that he is hereby authorised, on receiving such certificate, to direct the Treasurer to pay to such widow, or her legal representative, the sum above pointed out; *Provided,* such widow, has not received any emolument from this State or the United States.

Which being read, was ordered to lie on the table.

On motion of Mr. Newsome,

Resolved, That the honorable member from Tattall, have leave of absence for a few days.

Mr. Foster from the committee, to whom was referred the petition of sundry inhabitants of Columbia and Warren counties, praying a new county to be laid out, reported, that they have had the same under consideration, and after mature deliberation, are of opinion, that it would be more advisable to postpone the consideration of it, until the next session of the Legislature, in order that the wishes of the citizens of the two counties, may be more completely ascertained on this important subject—which being read, was agreed to.

Mr. Beasley presented the petition of William Stroud—which being read, was referred to the committee on Finance.

Mr. Hardin from the committee on the State of the Republic, to whom was referred the Governor's Communication to the General Assembly, on the subject of the Oconee Navigation, reported, that they have examined the minutes of the Oconee Association, and the account current of the expenditures and receipts of the last year. The committee deem it advisable, to recommend the appropriation of a sum sufficient to pay the instalments, upon the shares of the State Bank, purchased by the Oconee Association, provided, the same are made inalienable by the said Company, and placed at the disposition of the General Assembly, whenever it may be deemed necessary to resume the same or to convert it to other purposes, and that the additional sum of six hundred dollars, be appropriated to the said Oconee Association, for the purchase of a negro man, to replace the one unfortunately drowned—

Which being read, was ordered to lie on the table.

Mr. Foster called up the resolution, on the petition of Alexander Telfair and John P. Williamson, qualified Executors of John Gibbons, deceased;

which was read, amended, and agreed to, in the words following:

The committee, to whom was referred the petition of Alexander Telfair and John P. Williamson qualified Executors of John Gibbons, deceased, praying the General Assembly of this state, to pass a law for the manumission of all the slaves, which the said John Gibbons was possessed of at the time of his death, pursuant to the directions of his last will and testament,

Report, that the prayer of the petition is unjust and unreasonable, and contrary to the true policy and interest of this state, and therefore ought not to be granted.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to carry into effect the Penal Code of this state, and the Penitentiary system founded thereon—and

On motion of Mr. Charlton,

That the Senate do strike out the sum of one thousand dollars, to the Keeper of said Penitentiary, and insert the sum of *Fifteen Hundred*, and on the question to agree? it was determined in the negative; and the yeas and nays being required, are yeas 14—nays 18.

Those in the affirmative, are Messrs.

Charlton,	Hardee,	Pray,
Early,	Henly,	Talbot,
Fleming,	Hudspeth,	Wade, and
Foster,	Knight,	Walker.
Hardin,	T. Mitchell,	

Those in the negative, are Messrs.

Beasley,	Harris,	Newsome,
Blackshear,	Hatcher,	Pope,
Burke,	Hogg,	Reed,
Cleveland,	Lamar,	Sorrells,
Cullens,	N. Mitchell,	Swain, and
Griffin,	Montgomery,	Wimberly.

Whereupon, the said report was read, amended, and agreed to—and

The said bill was read the third time, and passed.

Mr. Charlton had leave to report a bill, to be entitled an act, to amend an act, entitled an act, to authorise the Justices of the Inferior courts of this state to discharge insolvent debtors confined by process from any Court of this State whatsoever—which was read the first time.

On motion of Mr. Blackshear,

Whereas in many cases, in which the State is Plaintiff, considerable difficulty has arisen, and numerous and able Counsels have been employed by the defendant.

It is therefore resolved, that in all cases of this description, where it may be deemed proper and necessary, the Governor is hereby requested and em-

powered, to employ additional Counsel, to assist the Attorney or Solicitor General, in prosecuting the claims of the State.

Which being read, was ordered to lie on the table.

On motion of Mr. Knight,

Resolved, That Joseph Crews of Wayne, be and he is hereby appointed, Notary Public, in and for the county of Wayne.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to divorce certain persons therein named—Mr. T. Mitchell in the chair—Mr. President resumed the chair; and Mr. Mitchell reported, that they had gone through the said bill with sundry amendments.

Ordered, that the report do lie on the table.

A message from the House of Representative by Mr. Turner, their clerk:

Mr. President;

I am directed to inform the Senate, that the House of Representatives are ready to receive them in the Representative Chamber, to proceed to the election of Elector for President and Vice-President of the United States; in place of Charles Harris, Esq. resigned—and he withdrew.

The Senate proceeded to the Representative floor, and being seated, proceeded by joint ballot to said election—and on counting out the votes, it appeared, that Major Oliver Porter was duly elected.

They then returned to their Chamber—and

Adjourned 'till 9 o'clock to-morrow morning.

FRIDAY, 29th November, 1816.

Mr. Cullens agreeably to notice, moved for the appointment of a committee, to prepare and report a bill, admitting bills of sale, and other conveyances of personal property to record, and authorising copies thereof to be admitted as evidences in certain cases.

Ordered, that Messrs. Cullens, Blackshear and Charlton, be that committee.

Mr. Early agreeably to notice, moved for the appointment of a committee, to prepare and report a bill, amendatory of the several acts relating to the town of Greensborough.

Ordered, that Messrs. Early, T. Mitchell and Hardee, be that committee.

On motion of Mr. Foster,

Mr. Greene, the door-keeper, had leave of absence for the ballance of the day.

Mr. Hardee called up the resolution from the House of Representatives, in favor of Stephen W.

Moore of Camden county, which being read, was concurred in.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled "an act, for the trial and punishment of slaves and free people of colour"—Mr. Walker in the chair—Mr. President resumed the chair; and Mr. Walker reported progress and had leave to sit again.

Mr. Hogg called up the resolution making compensation to the widows of deceased soldiers.

Which being read, was ordered to lie on the Table.

The Senate took up the report of the committee of the whole, on the bill to divorce certain persons therein named, which being amended, was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 7.

Those in the affirmative, are Messrs.

Beasley,	Hogg,	Pray,
Charlton,	Knight,	Beed,
Cullens,	Lamar,	Sorrells,
Early,	T. Mitchell,	Swain,
Fleming,	N. Mitchell,	Talbot,
Hardee,	Montgomery,	Wade,
Harris,	Newsome,	Walker and
Henly,	Pope,	Wimberly.

Those in the negative, are Messrs.

Blackshear,	Foster,	Hatcher and
Burke,	Griffin,	Hudspeth.
Cleveland,		

The Senate took up the resolution requiring the Adjutant General to consolidate, and abbreviate the several Militia Laws of this State; which was read and concurred in.

The Senate took up the balance of the message from the House of Representatives, and the bills were severally read the first time.

They also took up the amendments made by Senate, to the bill to prohibit slaves from selling certain commodities therein mentioned—which amendments were disagreed to by the House of Representatives—and

Resolved, That the Senate do adhere to their amendments made to said bill.

The Senate took up the following bills, which were severally read the second time—and

Ordered for committee of the whole.

The bill, to amend an act, to keep open, remove and prevent obstructions in Savannah river.

The bill, for the relief of Thomas Wood.

The bill to amend an act, regulating the granting of Certioraries and Injunctions.

The bill to incorporate the Steam-Boat Company of this State.

The bill to establish a rate of Ferriage over the Great Satilla river, at the Old Town Bluff.

The bill to authorise the Justices of the Inferior Courts of this state, to discharge insolvent debtors, &c.

The bill to amend the several Vendue acts, now in force in this state.

The Senate took up the following bills, which were severally read the second time—and

Ordered for a third reading.

The bill to authorise the Judge of the Superior Courts of the middle circuit, to hold an extra session in the county of Jefferson.

The bill to amend an act, to incorporate the town of Hartford, in the county of Pulaski.

The bill to change the times of holding the Inferior Courts of Jasper.

The bill to secure to Daniel Hotchkiss, the right of running a line of Stages, between Savannah and Milledgeville.

The bill, to incorporate the town of Darien.

The bill to repeal an act, respecting Vendue-Masters, so far as the same restricts and limits the number of Vendue-Masters for the City of Augusta.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to compel persons, not residents of the counties of Camden, Glynn and Wayne, to come forward and re-survey their lands—Mr. Wimberly in the chair—Mr. President resumed the chair; and Mr. Wimberly reported, that they had gone through the said bill with sundry amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon, the said bill was read the third time and passed under the title of an act, to require all persons holding lands in the counties of Camden, Glynn and Wayne, to re-survey the same.

The Senate resolved itself into a committee of the whole, on the bill to prevent the circulating of notes emitted by unchartered Banks and the issuing of due bills of certain descriptions, and for other purposes—Mr. Pray in the chair—Mr. President resumed the chair; and Mr. Pray reported, that they had gone through the bill without any amendment.

Whereupon, the bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 6.

Those in the affirmative are Messrs.

Beasley,	Cleveland,	Foster,
Burke,	Early,	Griffin,
Cullens,	Fleming,	Harris,

Hatcher,	Montgomery,	Swain,
Henly,	Pray,	Tabot,
Hogg,	Reed,	Walker and
Knight,	Sorrells,	Winberly.
T. Mitchell,		

Those in the negative are Messrs.

Blackshear,	Hudspeth,	N. Mitchell and
Charlton,	Lamar,	Wade.

On motion of Mr. Winberly,

The honorable member from Jasper, had leave of absence until Wednesday next.

The honorable member from Jones, had leave of absence until Monday next—and

The honorable member from Camden, had leave of absence after Monday next, for the ballance of the session.

Adjourned 'till 9 o'clock to-morrow morning.

SATURDAY, 30th November, 1816.

Mr. Griffin had leave to report a bill, to be entitled an act, to authorise the Justices of the Inferior Court of Telfair county, to levy an extra tax—which was read the first time.

The bill, to be entitled an act, to impose an additional tax on Pedlars and other Itinerant traders, was read 2d time—and

Ordered for committee of the whole.

The bill, to authorise Russel Goodrich, Nicholas Byne, David Russell, Arthur H. Henly and John Lowry, to open a road, was read the 2d time—and

Ordered for third reading.

The bill, to be entitled an act, to repeal an act, entitled an act, respecting Vendue-Masters, so far as the same restricts and limits the number of Vendue-Masters for the City of Augusta; was read the third time and passed.

The bill, to change the times of holding the Inferior Courts in the county of Jasper, was read the third time and passed.

The bill, to secure to Daniel Hotchkiss, his heirs and assigns, for the term of ten years, the sole and exclusive right, of running a line of stage Carriages between the City of Savannah and the town of Milledgeville; was read the third time and passed.

The bill, to be entitled an act, to incorporate the town of Hartford, in the county of Pulaski, was read the third time and passed.

The bill to be entitled an act, to authorise the Judge of the Superior Courts, of the middle circuit to hold an extra session in the county of Jefferson, was read the third time and passed.

The bill, to be entitled an act, to incorporate the town of Darien; was read the third time and passed.

The Senate resolved itself into a committee of the

whole, on the bill, to appoint Commissioners for the improvement of the navigation of the Ocmulgee river—Mr. Charlton in the chair—Mr. President resumed the chair; and Mr. Charlton reported, that they had gone through the bill with an amendment.

Whereupon, the said bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, supplementary to an act, entitled an act, to amend the several Judiciary acts, now in force in this state, so far as relates to Justices Courts—passed the 14th day of December, 1811, which was read & agreed to.

Whereupon, the said bill was read the third time, and passed.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, entitled an act, for limitation of actions and for avoiding suits in law—Mr. Early in the chair—Mr. President resumed the chair; and Mr. Early reported, that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Justices of the Inferior Court of the county of Burke, to cause the records of the Court of Ordinary of said county, to be fairly transcribed into bound Books, and to legalise the same—Mr. Hudspeth in the chair—Mr. President resumed the chair; and Mr. Hudspeth reported, that they had gone through the same without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to authorise the Justices of the Inferior courts of this state, to discharge insolvent debtors confined by process from any court of this state whatsoever—Mr. Henly in the chair—Mr. President resumed the chair; and Mr. Henly reported that they had gone through said bill—and recommend the further consideration of the same do lie on the table for the ballance of the session.

Which was read, and agreed to by Senate.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act, regulating the granting of certioraries and injunctions in this state, passed the 10th December, 1811—Mr. Wade in the chair; Mr. President resumed the chair, and Mr. Wade reported that the committee do disagree to said bill.

The Senate took up the report, which was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend

an act entitled an act to keep open, and remove and prevent obstructions in Savannah river, calculated to impede the free passage of fish, and for other purposes, passed the 10th day of December 1812—*Mr. Blackshear* in the chair—*Mr. President* resumed the chair, and *Mr. Blackshear* reported that they had gone through the bill with amendments.

Ordered, that the report do lie on the table.

The bill to be entitled an act to establish a rate of Ferriage over the Great Satilla river, at the old town Bluff, in Camden county, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Thomas Wood—*Mr. Walker* in the chair; *Mr. President* resumed the chair, and *Mr. Walker* reported, that the further consideration of this bill be postponed until June next.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to incorporate the Steam-Boat company of the State of Georgia—*Mr. Lamar* in the chair; *Mr. President* resumed the chair, and *Mr. Lamar* reported that the committee of the whole do disagree to said bill.

The Senate took up the report which was agreed to.

The bill to be entitled an act to amend the several Vendue acts now in force in this state, so far as to authorise the appointment of a Vendue master for the town of Greensborough, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, making provision for organizing, assembling and disciplining a certain portion of the militia of the state of Georgia—*Mr. Hudspeth* in the chair; *Mr. President* resumed the chair, and *Mr. Hudspeth* reported progress and had leave to sit again.

The bill to be entitled an act to emancipate a negro slave named Cæsar was read the second time—and

Ordered for committee of the whole.

Mr. Early reported a bill, to be entitled an act amendatory of the several acts relating to the town of Greensborough, which was read the first time.

Mr. Newsom, from the committee of enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts:

An act to alter and amend the several Estray laws now in force in this state.

An act to restore William Wall and Andrew Guarde, two persons of color, to the privilege of piloting vessels to and from the several ports in this state.

An act to appoint Trustees for Twiggs county A-

cademy, and to incorporate the same, and for other purposes.

An act to incorporate the town of Clinton in the county of Jones, and for the appointment of Commissioners for the better regulation and government of said town.

An act to authorise James Rousseau to erect a Bridge over the Oconee river, at or near his Ferry on the main road leading from Milledgeville to Augusta and Savannah—and

An act to amend the 2d section of an act, entitled an act to incorporate the town of Wayneborough, in Burke county, and to vest certain powers in the Commissioners thereof—which were presented to and severally signed by the President of Senate.

Ordered, that the committee do carry the said acts to His Excellency the Governor, for his revision.

A message from the House of Representatives, by *Mr. Turner*, their clerk:

Mr. President;

The House of Representatives have concurred in the resolution appointing Joseph Crews a Notary Public for the county of Wayne.

Also, in the resolution appointing a joint committee to call on the Commissioners of the Penitentiary Edifice, and have appointed a committee on their part—and

They have concurred in the resolution on the petition of Lemuel Vickers.

They have passed a resolution appointing Edmund Mathews, a Commissioner of Glynn county Academy—and

A resolution appointing Eben Walton, Harbor master for the town of Darien.

They have agreed to the amendment made to the act, to be called the Bank of the State Georgia.

Also, to the amendments to the act to alter and amend an act, to keep open the main channel of Broad river.

Also, an act authorising Shaler Hilyer to build a Mill-Dam across said river—and

They have passed the following bills;

A bill to incorporate the Protestant Episcopal society of Augusta.

A bill to amend an act to regulate the town of Lexington.

A bill to compel the Clerk of the Superior and Inferior courts of the county of Glynn, to keep their offices at, or within one mile of the Courthouse of said county.

A bill to alter and amend an act, for the better regulation and government of the town of Sparta.

A bill to provide for the payment of costs in certain cases therein mentioned.

A bill to amend an act to appoint Commissioners

for the better regulation and government of the town of Washington.

A bill to alter the time of holding the Superior and Inferior courts—and

A bill for the better regulation and government of the town of Powelton—and he withdrew.

The Senate took up the message and the resolutions were concurred in, and the several bills were read the first time.

The Senate took up the report of the committee of the whole on the bill to amend the Militia laws of this state, which being amended, was read the third time—and on the question, shall this bill now pass? it was determined the affirmative—and the yeas and nays being required, are yeas 15—nays 13.

Those who voted in the affirmative are Messrs.

Blackshear,	Foster,	Pray,
Charlton,	Hardee,	Talbot
Cleveland,	Hudspeth,	Wade,
Cullens,	N. Mitchell,	Walker and
Early,	Newsom,	Wimberly.

Those in the negative are Messrs.

Burke,	Henly,	Montgomery,
Fleming,	Hogg,	Sorrells and
Griffin,	Knight,	Swain.
Harris,	Lamar,	
Hatcher,	T. Mitchell,	

Mr. Foster had leave to report a bill to alter the times of holding the Superior courts in the Middle circuit of this state, which was read the first time.

Mr. Montgomery laid on the table the following resolution:

Resolved, That His Excellency the Governor be, and he is hereby authorised and required to appoint fit and proper persons, not exceeding three, to explore and examine the Territory lately ceded by the Creek Indians, to the United States, and which lies within the State of Georgia, and report the part or parts thereof, which in their opinion may be fit for cultivation, and the extent and bounds or size of each settlement or section of arable land, as near as may be—the quality or probable value of the land in each section—its contiguity to rivers and other places of notoriety, &c. &c.—and report thereon to His Excellency the Governor, in order that the same may be laid before the next General Assembly for their information.

On motion of Mr. Harris,

Resolved, That his Excellency the Governor be, and he is hereby authorised and required to appoint fit and proper persons, not exceeding two, to each county, for the purpose of attending all sales made by virtue of any execution in favor of the State, on account of the foreclosure of mortgages against the purchasers of Fractional surveys, and sales of fractions under execution issued by the Treasurer, and

in order to prevent fraud in any such sale, that the person or persons so appointed, be authorised to bid on behalf of the State, to such amount as they may deem a reasonable value for any fractions that may be then offered for sale—*Provided nevertheless*, That the person or persons so appointed, shall previous to bidding at any such sale, take and subscribe an oath before some Justice of the Peace or of the Inferior court, that they will bid in such manner as in their judgment, will be most advantageous to the State—which being read was

Ordered to lie on the table.

Mr. Hogg, from the joint committee on the petition of sundry inhabitants of the county of Greene, residing in the Fork of the Oconee and Appalachian rivers, praying to be added to the county of Morgan, reported, which was read—and

Ordered to lie on the table.

The Senate adjourned until Monday 10 o'clock.

MONDAY, 2d December, 1816.

On motion of Mr. Harris,

Resolved, That the Journal of Saturday be reconsidered so far as relates to the passage of the bill to be entitled an act to amend the several Militia laws of this state.

Whereupon, ordered that said bill do lie on the table.

Mr. Cullens from the committee appointed, reported a bill to be entitled an act to regulate evidence, so far as relates to the execution of deeds and bills of sale, which was read the first time—and

Ordered for a second reading.

Mr. Charlton from the joint committee appointed to prepare and report a Memorial and remonstrance to the President of the United States, on the subject of General Jackson's treaty with the Creek Indians, reported, which being read, was

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their clerk:

Mr. President;

The House of Representatives have passed a resolution appointing Edward F. Tatnal, Harris H. Hickman and John M'Kennon, Notaries Public for the county of Chatham—and Daniel F. M'Neil, a Notary Public for the county of Richmond.

They have concurred in the resolution authorising the Adjutant General, to consolidate and abbreviate the several militia laws of this state.

And they do still disagree to the amendments made by Senate to the bill, to be entitled an act, to

prohibit slaves from selling certain commodities therein mentioned, and have requested a committee of conference thereon, and appointed Messrs. Pope, Blair, Stocks, Wellborn and Ryan, a committee on their part—and he withdrew.

The Senate took up the message and the resolution was concurred in—and

Resolved, That the Senate do agree to a committee of conference requested in said message, and that Messrs. Foster, Early, Henly, Hudspeth and Blackshear, be the committee on the part of Senate.

Mr. Charlton called up the report of the committee on Privileges and Elections, so far as respects the election of the Senator for the county of Bulloch, and the same being read.

On motion of Mr. Charlton,

Resolved, That the Hon. Samuel Lockhart, Senator from the county of Bulloch, is constitutionally qualified and entitled to his seat in Senate.

The following bills were severally taken up, read the second time—and

Ordered to a third reading, viz :

The bill to alter the times of holding the Superior courts of the Middle circuit in this state.

A bill to incorporate the Episcopal Society of Augusta, &c.

A bill to amend an act for the better regulation and government of the town of Sparta.

A bill for the better regulation and government of the town of Powelton.

A bill to compel the Clerks of Glynn county to keep their Offices at, or within one mile of the Court House.

A bill to authorise the Justices of the Inferior court of Telfair county to levy an extra tax—and

A bill amendatory of the several acts relating to the town of Greensborough.

The following bills were severally taken up and read the 2d time—and

Ordered for committee of the whole.

A bill to be entitled an act to amend an act to appoint Commissioners for the better regulation and government of the town of Washington.

A bill to amend the act to regulate the town of Lexington.

A bill to provide for the payment of costs in certain cases therein mentioned—and

A bill to alter the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior courts of the county of Madison.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to impose an additional tax on Pedlars and other itinerant traders—Mr. Foster in the chair ; Mr. President resumed

the chair, and Mr. Foster reported that they had gone through the bill without amendment.

Whereupon, the said bill was read the third time and passed.

The bill to be entitled an act to authorise Russell Goodrich, Nicholas Byers, David Russell, Arthur H. Hanley and John Lowry, to open a Road from the head of navigable water on Tugalo river, the most direct rout to fall into the road at Samuel Thompson's, on nine mile creek, in East Tennessee, and to incorporate themselves into a company, by the name of the Unaca, or Unacoi Turnpike Company, was taken up, read the third time and passed.

The Senate took up and proceeded to reading by sections, the report of the committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act to keep open, remove and prevent obstructions in the Savannah river, calculated to impede the free passage of Fish, and for other purposes, passed the 10th day of December, 1812.

On motion of Mr. Foster,

That the Senate do strike out *one* and insert *two*, in first section, line 19th—on the question to agree; it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 7.

Those in the affirmative, are Messrs.

Blackshear,	Griffin,	Newsom,
Charlton,	Hatcher,	Nowlan,
Cleveland,	Hudspeth,	Swain,
Culleps,	Lamar,	Wade,
Early,	Lockhart,	Walker and
Fleming,	T. Mitchell,	Wimberly.
Foster,	N. Mitchell,	

Those in the negative, are Messrs.

Burk,	Knight,	Sorrells and
Henly,	Montgomery,	Talbot.
Hogg,		

The bill to be entitled an act to emancipate a negro slave, named Cæsar, commonly called Cæsar Kennedy, was taken up for a third reading.

On motion,

Resolved, That the further consideration of this bill be postponed until June next, and on the question to agree ? it was determined in the affirmative ; and the yeas and nays being required, are yeas 15—nays 12.

Those in the affirmative, are Messrs.

Burke,	Hogg,	Montgomery,
Cleveland,	Hudspeth,	Newsome,
Cullens,	Knight,	Sorrells,
Griffin,	Lamar,	Swain, and
Hatcher,	N. Mitchell,	Wimberly.

Those in the negative, are Messrs.

Blackshear,	Foster,	Pray,
Charlton,	Henly,	Talbot,

Early, T. Mitchell, Wade, and
Fleming, Nowlan, Walker.

The Senate again resolved itself into a committee of the whole, on the bill making provision for organizing and disciplining a certain portion of the militia of the state of Georgia—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported progress and had leave to sit again.

On motion of Mr. Lockhart,

Resolved, That James Tilman, Shepherd Williams, Joshua Hodges, Robert Donaldson and George M'Call be, and they are hereby appointed Commissioners for the Court-House and Jail in Bulloch county, in place of others removed and resigned—and

Resolved, That Brice Simmons be, and he is hereby appointed Notary Public for the county of Bulloch and town of Statesborough.

A message from His Excellency the Governor by his Secretary Mr. Heath;

Mr. President,

I am directed by His Excellency the Governor, to notify this branch of the Legislature, that he has approved and signed six resolutions which originated in this house.

The substance of which is as follows, viz:

One appointing a Commissioner of Camden county Academy.

One appointing a Commissioner of the Public Buildings in the county of Twiggs.

One appointing Commissioners of the Court-House and Jail in the county of Wilkinson.

One appointing a Notary Public for the county of Washington.

One appointing Commissioners of the Academy of Washington county.

One appointing a Vendue master for the town of Dublin, in the county of Laurens.

Mr. Hogg called up the report of the committee on the petition of part of the Inhabitants of the county of Greene, and the same being read was agreed to in the words following:

The joint committee to whom was referred the petition of sundry inhabitants of the county of Greene, residing in the Fork of the Oconee and Appalachian rivers, praying to be added to the county of Morgan, have performed the duty assigned them.

Your committee are of opinion, that to grant the prayer of the petitioners, would be impolitic, as it would tend completely to disorganize the county of Greene.

Adjourned 'till 10 o'clock to-morrow morning.

TUESDAY, 3d December, 1846.

The Senate proceeded to re-consider the minutes of yesterday, so far as respects the resolution in favor of the member of the Senate from Bulloch county—and

Resolved, That the said resolution do lie on the table.

They also re-considered the minutes so far as respects the bill to manumit a person of color, known by the name of Caesar—and

Ordered, that said bill do lie on the table.

Mr. Hogg called up the resolution making compensation to Widows of deceased soldiery, which was read—and

Ordered to lie on the table.

Mr. Walker from the Military committee, reported.

The committee having taken into consideration the petition of sundry officers, praying an alteration of the uniform of the militia officers, are of opinion that the intention of the prayer of the petitioners has been anticipated, and a bill is now in progress for that purpose.

The bill to be entitled an act for the better regulation and government of the town of Powelton, in the county of Hancock, was taken up, read the third time and passed.

The bill to be entitled an act to alter the times of holding the Superior courts of the Middle circuit in this state, was taken up, read the third time and passed.

The bill to incorporate the Protestant Episcopal Society of Augusta and county of Richmond, and to authorise the Trustees of Richmond Academy to convey a lot of land in the city of Augusta, to the said Protestant Episcopal Society, was taken up, read the third time and passed.

The bill to be entitled an act to alter and amend an act, entitled an act, for the better regulation and government of the town of Sparta, in the county of Hancock, was taken up, read the third time and passed.

The bill to be entitled an act, amendatory of the several acts relating to the town of Greensborough, was read the third time and passed.

The bill entitled an act to authorise the Justices of the Inferior court of Telfair county, to levy an extra tax, was read the third time and passed.

The bill to be entitled an act to compel the Clerk of the Superior and Inferior courts of the county of Glynn, to keep their offices at, or within one mile of the Court-House of said county, was taken up and read the third time, and on the question shall this bill now pass? it was determined in the negative.

The bill to be entitled an act to regulate evidence

so far as it relates to the execution of deeds and bills of sale, was read the second time—and

Ordered for committee of the whole.

A message from the House of Representatives, by Mr. Turner their Clerk.

Mr. President ;

The House of Representatives have passed the following resolutions :

A resolution authorising His Excellency the Governor, to designate such room or rooms in the State House, as he may think proper for transacting the business of the Branch Bank at Milledgeville—

And a resolution appointing certain persons therein named, to ascertain the centre of the county of Jackson, and to report thereon, to the Inferior Court of said county ; to which they desire concurrence—and he withdrew.

Ordered, that said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior courts in the county of Madison—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported, that they had gone thro' the same without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to provide for the payment of costs in certain cases therein mentioned—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the same without amendment.

Whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act to regulate the town of Lexington—passed on the 24th day of November, 1806—and an act, to amend the same, passed on the 27th November, 1807, and for other purposes—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported, that they had gone through the bill with amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon, the said bill was read the third time and passed.

The bill to be entitled an act, to repeal an act, to authorise John Martin Dasher, to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions as to prevent the free use of the navigation of the same was taken up, read the 3d time

and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are, yeas 14—nays 12.

Those in the affirmative are Messrs.

Burke,	Knight,	Pope,
Byne,	Lockhart,	Sorrells,
Fleming,	Newsome,	Walker and
Harris,	Nowlan,	Wimberly.
Hudspeth,		

Those in the negative are Messrs.

Blackshear,	Foster,	N. Mitchell,
Charlton,	Griffin,	Reed,
Cleveland,	Henly,	Swain, and
Cullens,	T. Mitchell,	Talbot.

The bill to be entitled an act, to amend the militia laws of this state, so far as respects the grade of Field Officers, and to adapt the same to the law of Congress, was taken up—and

Resolved, that this bill be re-committed to a committee of the whole.

The Senate took up the bill, to be entitled an act making provision for organizing, assembling and discipling a certain portion of the militia of the State of Georgia—and

On motion of Mr. Charlton,

Resolved, That the further consideration of this bill, be postponed until the next meeting of the General Assembly.

Mr. Charlton had leave to report a bill, to be entitled an act, to legalise the proceedings of the Superior and Inferior Courts of the Eastern District, of this State, and to render valid the acts of the Public Officers of the same, which was read the 1st time.

On motion of Mr. Fleming,

Resolved, That Alexander Merriwether be, and he is hereby appointed a Commissioner of the Louisville Academy, in place of Major John Berrien, deceased.

Mr. Blackshear presented a petition of a few of the inhabitants of Emanuel county, which was read and referred to a special committee.

Ordered that messrs. Blackshear, Swain and N. Mitchell, be that committee.

Mr. Harris called up the following resolution, which being read and amended was agreed to.

Resolved, That his Excellency the Governor be, and he is hereby authorized and required to appoint fit and proper persons, not exceeding two to each county, for the purpose of attending all sales made by virtue of any execution in favor of the State, on account of the foreclosure of mortgages against the purchasers of fractional surveys, & sales of fractions under executions issued by the Treasurer—and in order to prevent fraud in any such sale, that the person or persons so appointed; be authorised to bid

on behalf of the State, to such amount as they may deem a reasonable value for any fractions that may be then offered for sale; *Provided nevertheless*, that the person or persons so appointed shall previous to bidding at any such sale, take and subscribe an oath before some Justice of the Peace or of the Inferior Court, that they will bid in such manner as in their judgement will be most advantageous to the state; and that the person so appointed have the liberty of directing the issuing any such execution, and levying on any such land lying within their respective counties.

Mr. Henly laid on the table, the following resolution :

Whereas, it has become the practice in some of the counties in this state, of the superintending magistrates of elections, to commence counting and numbering of the votes given in between the hours designated by law, for receiving the votes, which power is not given by law :

Be it therefore resolved, by the Senate and House of Representatives of the state of Georgia, in General Assembly met, That it shall be the duty of the superintending magistrates at elections, to keep open all elections from the opening to the closing the same, and no vote shall be called and numbered until the hour designated by law, for closing the election shall have expired, unless by the unanimous consent of the Candidates.

Adjourned 'till 10 o'clock to morrow morning.

WEDNESDAY, 4th December, 1816.

Mr. Montgomery moved to re-consider the Journal of yesterday, so far as respects the passage of a bill, to be entitled an act, to repeal an act, to authorise John Martin Dasher, to erect mills on the Ebenezer mill creek, and to improve the navigation of the same; and on the question to agree to the same, it was determined in the negative.

On motion of Mr. Nowlan,

Resolved, That Wm. Y. Hansell be appointed Secretary, pro-tempore, to the Senate, during the absence of Will. Robertson, their Secretary, and that the Secretary, pro tem. notify the House of Representatives thereof.

On motion of Mr. Cullens,

The honorable member from the county of Chat-ham, had leave of absence for the remainder of the present session, after to-morrow.

A message from the House of Representatives by Mr. Turner, their Clerk :

Mr. President ;

The House of Representatives have passed a bill,

to be entitled an act, to alter and amend an act, entitled an act more effectually to open and keep in repair the public roads, so far as respects the county of Warren.

They have passed a resolution, appointing John Polloch, a Notary Public for the county of Scriven—and

A resolution appointing John Hunter, Esq'r. a Commissioner of the Board of Pilotage, for the port of Darien and Sapelo river, in place of Virgil H. Vivion, Esquire, resigned; to which they desire concurrence—and he withdrew.

Ordered, that said message do lie on the table.

Mr. Hudspeth presented a report from the Commissioners of the Penitentiary Edifice, which being read, was referred to the Committee on Finance.

Mr. Foster from the committee of conference, appointed on part of Senate, on the subject matter of disagreement, between the Senate and House of Representatives, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein named, reported, which being read,

Ordered that the same do lie on the table.

The Senate took up the message from the House of Representatives, and concurred in the following resolutions.

The resolution appointing certain persons therein named, to proceed to ascertain the centre of the county of Jackson, and to report to the Inferior Court of said county on the same.

The resolution appointing John Polloch, a Notary Public for the county of Scriven—and

The resolution appointing John Hunter, a Commissioner of the Board of Pilotage for the port of Darien and Sapelo river, in place of Virgil H. Vivion, Esq'r. resigned.

The bill to be entitled an act, to alter and amend an act, more effectually to keep in repair the public roads, &c. so far as respects the county of Warren, was read the first time—and

The resolution from the House of Representatives, authorising His Excellency the Governor, to designate such room or rooms in the State-House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville, was taken up, read—and

Ordered to lie on the table.

A message from His Excellency the Governor by Mr. Heath, his Secretary :

Mr. President ;

I am directed by His Excellency the Governor, to inform this branch of the Legislature, that he has assented to, and signed two laws, which are as follow :

An act, to incorporate the town of Irwinton, in the county of Wilkinson—and

An act, to alter and change the names of John W. Samuel, and Thomas Y. Myrick, to that of John W. Samuel, and Thomas Y. Berry, and has directed me to return them to this House, it being the branch of the Legislature in which they originated; and he withdrew.

Ordered, that the committee carry the said bills, to the Secretary of State's Office, and see the Great Seal of the State, affixed respectively thereto.

Mr. Blackshear called up the report of the committee on the State of the Republic, relative to the Oconee Navigation, which was read, together with the accompanying documents, and debate being had thereon,

On motion of Mr. Early,

The Senate adjourned until half after twelve o'clock, this day, in order that the Electors of President and Vice-President of the United States, may have the use of the Senate Chamber, in order to give in their votes.

Half past 12 o'clock, P. M.

The honorable Electors of President and Vice President of the United States, having retired—

The Senate, resumed its sitting, and took up the report of the committee on the State of the Republic, on the subject of the Oconee Navigation, and the report being amended was agreed to, and is as follows :

The committee on the State of the Republic, to whom was referred the Governor's communication to the General Assembly, upon the subject of the Oconee Navigation, report, that they have examined the minutes of the Oconee Association, and the account current of the expenditures and receipts of the last year. The committee deem it advisable to recommend the appropriation of a sum sufficient to pay the instalments, upon the shares in the State Bank, purchased by the Oconee Association, provided the same are made inalienable by the said Company, and placed at the disposition of the General Assembly, whenever it may be deemed necessary to resume the same, and to convert it to the improvement of the navigation of other rivers; and that the additional sum of six hundred dollars, be appropriated to the said Oconee Association, for the purchase of a negro man, to replace the one unfortunately drowned—and the yeas and nays being required, are yeas 22—nays 7.

Those who voted in the affirmative, are messrs.

Beasley,	Byne,	Early,
Blackshear,	Charlton,	Foster,
Burke,	Cleveland,	Hatcher,

Henly,	T. Mitchell,	Sorrells,
Hogg,	N. Mitchell,	Talbot,
Hudspeth,	Montgomery,	Wade and
Knight,	Reed,	Walker.
Lamar,		

Those in the negative, are messrs.

Fleming,	Lockhart,	Swain and
Griffin,	Pope,	Wimberly.
Harris,		

Mr. Charlton called up the memorial and remonstrance to the President of the United States, which is as follows :

*Milledgeville, Georgia, }
2d December, 1816. }*

To His Excellency,

THE PRESIDENT OF THE UNITED STATES :

The memorial and remonstrance of the Senate and House of Representatives of the State of Georgia, in General Assembly met.

Your memorialists, beg leave to address His Excellency the President of the United States, and to lay before him their views on a subject highly interesting to the people of this State, and entitled to the serious attention of the national government. This subject, to which your memorialists respectfully solicit the attention of your Excellency, is the stipulation in the articles of agreement and cession entered into on the 24th of April, 1802, between the Commissioners of Georgia, and Commissioners of the United States, in which the United States have pledged themselves, to extinguish the Indian title, to all lands within the limits of Georgia.

The Citizens of Georgia, satisfied with this stipulation of the compact, and reposing great confidence in the disposition of the General Government to fulfill every engagement of the United States, and particularly this, flattered themselves with the hope, that the treaty of General Jackson, would have obtained a further cession of territory, and established a line with a much greater respect for the interest of Georgia, than that treaty has evinced.

No crisis ever presented such prospects of an advantageous extinguishment of Indian title as the period of the Treaty referred to. A severe chastisement had been inflicted on the Creeks—their power was broken—their arrogance subdued; and it only became necessary under these circumstances, to have demanded and obtained an accession to such terms, as the United States, looking to their compact with Georgia, might have thought proper to have dictated. These circumstances were not permitted however to have their appropriate weight of influence, and therefore the citizens of Georgia have found themselves mortified and disappointed in all

the expectations they had formed of the results of this treaty. In adverting to the boundaries of the treaty, it will be readily perceived, that the two great objects which should always have been in view—an extension of settlement and security of frontier, have been greatly, if not totally neglected.

Your Memorialists, referring to the most approved maps of the Creek nation, think these facts clearly established—That the course from the Chatahoochie, running due East, “to a point which shall intersect the line now dividing the lands claimed by the Creek nation from those claimed by the state of Georgia,” will throw the rivers Ocmulgee and Altamaha on the left, and will strike the Georgia line a short distance, or not far below the Fort formerly called “Fort James,” and consequently leave the Indian title unextinguished to the narrow but important slip of land for the whole distance along and between the line and the river Ocmulgee.

Now it appears to your Memorialists, and after proper consideration your Excellency must be convinced, that Georgia has derived little or no advantage from the establishment of this line; for leaving out of view the sterile and unprofitable territory acquired, it can scarcely be expected, that our citizens, or emigrants from any section of the United States would occupy a territory, having on one side the Spanish line, and the Indians between them and the settlements in Georgia. Such would be their situation according to the line established in the treaty of General Jackson.

Your Memorialists beg leave further to represent as a just ground of complaint, that according to the treaty concluded by General Jackson, all the Territory left for the use of the Creek nation of Indians, lies either within the limits of Georgia, or stretches along its western boundary. The consequence of this state of things must be obvious.

The government of the United States will now find it extremely difficult to obtain a further extinguishment of Indian title, in the very quarter where by positive compact they were most bound to obtain it, and have by their own act rendered a compliance with their solemn engagement to Georgia, distant and precarious.

Your Memorialists believing that in this Treaty the interests of Georgia have been abandoned, or at least overlooked, and that she can now or at any other period rightfully claim of the United States a more satisfactory compliance with the stipulation of their compact, do, for and in behalf of the citizens of Georgia, protest and remonstrate against said treaty, so far as it relates to extinguishment of Indian title within the limits of said state; and do further, for and in behalf of the citizens of said state request, that measures may be taken as speedily as

circumstances will permit, to procure an additional cession of territory, and extinguishment of Indian title, conformably to the stipulation contained in the said articles of agreement and cession; entered into between the commissioners of Georgia and of the United States—which being read, was agreed to.

The Senate proceeded to take up the bills in order.

The bill to be entitled an act, to legalize the proceedings of the Superior and Inferior Courts of the Eastern District of this State and to render valid the acts of the Public Officers of the same, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, to appoint commissioners for the better regulation & government of the town of Washington, and for incorporating the same, passed the 7th day of Dec'r. 1805—and for other purposes therein mentioned—mr Early in the chair—mr. President resumed the chair, and Mr. Early reported, that they had gone through the same with an amendment.

The Senate took up the report, and agreed thereto.

Whereupon, the bill was read the third time and passed under the title thereof.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to regulate evidence, so far as it relates to the execution of deeds and bills of sale—Mr. Cleveland in the chair—mr. President resumed the chair; and Mr. Cleveland reported, that they had gone through the same with amendments.

Ordered, that the report do lie on the table.

On motion of Mr. Early.

Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That His Excellency the Governor be, and he is hereby authorised and requested to adopt such measures, as he may deem most expedient in conjunction with the Executive Government of the United States, for ascertaining, running and marking the boundary line, between this State and the Mississippi Territory, which was read and agreed to.

The order of commitment being dispensed with, the Senate took up the bill, to be entitled an act, to emancipate a negro slave, named Caesar, commonly called Caesar Kennedy, and to carry into effect the last will and testament of Wm. Kennedy, late of Richmond county, dec'd.—which was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 12—nays 19.

Those who voted in the affirmative are Messrs.

Burke, Charlton, Fleming,

Foster,	T. Mitchell,	Talbot,
Healy,	Nowlan,	Wade and
Lockhart,	Pope,	Walker.

Those in the negative, are Messrs.

Beasley,	Hatcher,	Newsome,
Blackshear,	Hogg,	Reed,
Byne,	Hudspeth,	Sorrells,
Cleveland,	Knight,	Swain and
Collens,	Lamar,	Wimberly.
Early,	N. Mitchell,	
Gasslin,	Montgomery,	

Mr. Hogg, from the committee on the petition of Edward Pate, reported the following resolution :

Resolved, That the sale of one half of lot No. 318, in the 4th district of Baldwin, now Morgan county, which belongs to the State, be suspended until the end of the next Legislature ; which was read and agreed to.

Adjourned 'till 10 o'clock to morrow morning.

THURSDAY, 5th December, 1846.

The Senate proceeded to re-consider the minutes of yesterday, on the report of the committee on the Oconee Navigation—and

Ordered, that the same do lie on the table.

On motion of Mr. Harris,

Resolved, That Tuttle H. Moreland and Duncan Ray be, and they are hereby appointed Notaries Public for the town of Hartford and county of Polaski.

The bill to be entitled an act to alter and amend an act entitled an act, more effectually to open and keep in repair the public roads, &c. so far as respects the county of Warren, was taken up, read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to legalize the proceedings of the Superior and Inferior courts, &c.—Mr. Byne in the chair—The President resumed the chair, and Mr. Byne reported, that they had gone through the same with amendments.

Ordered, that the report do lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act for the trial and punishment of slaves and free people of color—Mr. Wimberly in the chair—Mr. President resumed the chair, and Mr. Wimberly reported, that they had gone through the bill with amendments.

Ordered, that the report do lie on the table.

The Senate took up the report of the committee of the whole, on the bill to regulate evidence, as it relates to the execution of deeds and bills of sale, which was read, amended and agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives, by Mr. Turner, their clerk :

Mr. President :

The House of Representatives have passed the following bills from Senate without amendments.

A bill to repeal an act to authorise a part of the Camden Battalion to muster in the town of St. Marys.

A bill to be entitled an act to amend the 5th section of an act, for the appointment of county officers, passed 16th February, 1799.

A bill to appoint Commissioners for the better regulation and government of the Village of Appling, and for incorporating the same.

A bill to be entitled an act to authorise the trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the city of Augusta, and to sell, dispose of and convey the same, and for other purposes.

A bill entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit or district of this state.

A bill to repeal the 5th section of an act to establish an Insurance Company in the city of Savannah, called the Marine and Fire Insurance company.

A bill to authorise the Justices of the Inferior court of Effingham county to levy an extra tax, &c.

A bill to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

A bill to prevent Boat owners or Patroons from permitting boat hands or other negroes from trafficking in corn or other produce, or for carrying the same to market, &c.

A bill to alter and change the names of certain persons therein named—and

A bill to regulate the town of Marion.

They have passed the following bills, to wit :

A bill for the better regulation of the town of Monticello in the county of Jasper.

A bill to explain and amend an act entitled an act to regulate Escheats in this state, and to appoint Escheators, passed 5th December 1801.

A bill to alter and amend an act, to regulate the town of Eatonton, passed 12th December 1809.

A bill for the relief of Elisha Wright.

A bill to alter and amend an act, to alter and amend the 12th section of an act to protect the estates of Orphans, passed 16th December 1811.

A bill to be entitled an act to amend an act, entitled an act, to add that part of the unlocated Territory.

ry of this state, which lies with out the limits of the present counties, to the county of Jasper, passed the 23d day of November 1814—and

A bill to be entitled an act to amend an act to regulate the elections in this state and to appoint the time of meeting of the General Assembly so far as the same requires the General elections to be held at the place of holding the Superior courts.

They have passed a resolution appointing Joshua Coffee a Commissioner of the board of pilotage for the port of Darien, and Sapelo river—and he withdrew.

The Senate took up the message and the resolution was read and concurred in, and the said bills were severally read the 1st time.

The Senate again called up the report of the committee of Privileges and elections, in the words following :

The committee on Privileges and elections report, as follows, to wit :

They having examined the certificates of the members composing Senate, find them correct, but on a view of two letters, one from James Bozeman, Comptroller General to Thomas Rawls, Esq. dated Milledgeville, 15th October, 1815, and the other from Thomas Rawls, the receiver of tax returns for the county of Bulloch of the 6th inst. directed to the Honorable the President of the Senate, which are herewith transmitted, together with two certificates from the Comptroller General, all which leads your committee to believe the sitting member from the county of Bulloch, has failed to pay his tax for the year 1813, and beg leave to submit this opinion to the Senate—and

On motion of Mr. Blackshear,

It is therefore resolved, That the said sitting member is not constitutionally qualified as a Senator, and cannot hold his seat ; and on the question to agree to the report as amended, it was determined in the affirmative—and the yeas and nays being required, are yeas 22—nays 10.

Those in the affirmative, are Messrs.

Blackshear,	Henly,	Sorrells
Burke,	Hogg,	Swain,
Byne,	Knight,	Talbot
Cullens,	N. Mitchell,	Wade,
Early,	Montgomery,	Walker and
Fleming,	Nowlan,	Wimberly.
Griffin,	Popc,	
Hatcher,	Reed,	

Those in the negative are Messrs.

Beasley,	Harris,	T. Mitchell, and
Charlton;	Hudspeth,	Newsom.
Cleveland,	Lamar,	
Foster,	Lockhart,	

Mr. Walker had leave to report a bill to be entitled an act, to amend the act of 1811, entitled an act to authorise the collection of rents within the city of Augusta and the precincts thereof, which was read the first time.

Mr. Griffin laid on the table the following resolution.

Resolved, That the Senate do adjourn on Thursday next, *sine die*.

Mr. Nowlan reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts :

An act to prevent the circulation of notes emitted by unchartered banks, and the issuing of due-bills of certain descriptions, and for other purposes.

An act to change the time of holding the Inferior court in the county of Jasper.

An act to incorporate the town of Darien.

An act to amend an act entitled an act to incorporate the town of Harford in the county of Pulaski.

An act supplementary to an act, entitled an act to amend the several Judiciary acts now in force in this state, so far as relates to Justices courts, passed the 14th day of December, 1811.

An act to amend an act to incorporate a Bank to be called the Bank of the State of Georgia, passed the 16th December 1815.

An act for the relief of Hannah Davis, widow of Thomas Davis, deceased.

An act to secure to Robert M'Rea and Richard H. Long the exclusive right and privilege of running a line of Stage carriages from Augusta, via Columbia Courthouse, in Columbia county, the town of Washington in the county of Wilkes, Lexington, in the county of Oglethorpe, and to Athens in the county of Clarke, for the term of ten years.

An act to vest the interest of this state to certain property therein mentioned in the heirs of Adam Ross, late of Greene county, deceased.

An act to amend the several acts regulating Vendues in this state, so far as to authorise the appointment of a Vendue master for the town of Greensborough in the county of Greene.

An act to authorise the Justices of the Inferior court of Burke county, to cause the records of the court of Ordinary of said county, to be fairly transcribed into bound books, and to legalize the same.

An act to alter and amend an act entitled an act to keep open the main channel of Broad river, passed on the 13th December, 1809—Also, an act authorising Shaler Hilyer to build a Mill-Dam across said river, passed the 8th December, 1815.

An act to secure to Daniel Hotchkiss, his heirs and assigns, for the term of ten years, the sole and exclusive right of running a line of Stage carriages

between the city of Savannah and the town of Milledgeville.

An act for establishing a rate of Ferriage over the great Satilla river at the old town Bluff in Camden county—and

An act to repeal an act, entitled an act, respecting Vendue masters so far as restricts the same, & limits the number of vendue masters for the city of Augusta.

Which were presented to and severally signed by the President.

Ordered, that the committee of enrolment do carry said acts to His Excellency the Governor, for his revision.

On motion of Mr. Charlton,

The Messenger of Senate has leave of absence until Monday next.

Adjourned until to-morrow morning 10 o'clock.

FRIDAY, 6th December, 1816.

Mr. Walker had leave to introduce a bill to be entitled an act to enable Daniel Hotchkiss, Reuben Taylor, Wm. Gordon and John Fryer, the present proprietors of the line of Stages, between the city of Savannah and Augusta, to give security for running the said stages for and to the end of the time which right of running the said line of stages, was granted to Lewis Calfry and John Coats—which was read the first time.

Mr. Harris had leave to introduce a bill to be entitled an act, to amend an act entitled an act to establish the scite of the public buildings in the county of Jones, and to appropriate the money arising from the sale of lots, which was read the third time.

On motion of Mr. Wade,

Resolved, That the Sheriff of Scriven county do pay over to the Commissioners of the Academy of said county, the amount which he has received, arising from the sale of a tract of three hundred and five acres of land, the reverted surplus of one thousand acres sold to Thomas Glascock, as is expressed in a resolution approved 23d November, 1814, which was read—and

Ordered to lie on the table.

On motion of Mr. Wimberly,

Whereas the Tax Collector of Twiggs county having been prevented by the adjournment of the court at the last term, from laying before the Grand Jury of said county, a list of insolvent debtors for taxes:

Be it therefore resolved, by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is resolved by the authority of the same, That the said Tax Collector shall be, and he is hereby authorised and required to lay

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before the Grand Jury of the county aforesaid, at the next term of the Superior court, the insolvent list aforesaid, and the said Tax Collector is hereby indulged until the next Superior court in said county for the purposes aforesaid; Provided he shall pay over to the Treasurer, all taxes collected by him, agreeable to law.

Ordered, that said resolution do lie on the table.

The bill to be entitled an act to amend the act of 1814, entitled an act to authorise the collection of rents, &c. was read the 2d time—and

Ordered for a third reading.

The bill to be entitled an act to alter and amend an act to regulate the town of Eatonton, passed 12th December 1809, was read the 2d time and ordered for a third reading;

The bill to be entitled an act for the better regulation of the town of Monticello, in the county of Jasper, was read the 2d time—and

Ordered for a third reading.

The following bills were taken up, read the 2d time—and

Ordered for committee of the whole.

A bill to be entitled an act to amend an act, entitled an act to add that part of the unlocated territory of this state, which lies without the limits of the present counties, to the county of Jasper, passed the 23d day of November 1814.

A bill to be entitled an act to explain and amend an act, entitled an act to regulate Escheats, &c.

A bill for the relief of Elisha Wright—and

A bill to alter and amend an act, to alter and amend the 12th section of an act to protect the estates of Orphans, passed the 16th December 1811.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act for the trial and punishment of slaves and free people of color, which being read by sections, was amended and agreed to.

Whereupon the said bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to legalize the proceedings of the Superior and Inferior courts of the respective circuits of this state, and to render valid the acts of the public officers of the same, which being read by paragraphs, was amended and agreed to.

Whereupon, the bill was read the third time and passed.

The bill to be entitled an act to alter and amend an act, entitled an act, more effectually to open and keep in repair the public roads, &c. so far as respects the county of Warren, was read the third time and passed.

A bill to be entitled an act to amend an act, enti-

led an act to regulate the elections in this state, and to appoint the time of the meeting the General Assembly, so far as the same requires the general elections to be held at the place of holding the Superior courts, was read the second time—and

Ordered for committee of the whole.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to alter the time of holding the Superior and Inferior courts of the county of Wilkes, and the fall term of the Superior courts of the county of Madison, which being read by sections, was amended and the bill read the third time and passed.

Mr. Lamar presented a petition of Greene Robinson and Henry Robinson, which was read and referred to the committee on petitions.

Mr. Foster laid on the table the following resolution :

Resolved, That His Excellency the Governor is and shall be authorised to discharge any demand that may be made on this state, by the general government for Direct tax, in the way that may appear to him most expedient for the benefit of the community, and that an appropriation be made for the payment of the fourth Direct tax out of any money not otherwise specially appropriated.

On motion of Mr. Pope,

Resolved, That Maj. James Smith be, and he is hereby appointed a Notary Public for the town of Clinton and county of Jones.

Mr. Byne called up the petition of a number of the inhabitants of the counties of Burke and Jefferson, which was

Ordered to lie on the table for the remainder of the session.

The Senate took the report of the committee on the state of the Republic, on the subject of the Oconee navigation which being read,

Mr. Harris offered the following amendment :

And whereas the improvement of all our navigable water courses is of the highest importance,

Be it further resolved, That the sum of five thousand dollars be appropriated for the improvement of the navigation of the Ocmulgee river, to be vested in the hands of such persons as the Legislature may by law direct—and on the question to agree to the amendment, the yeas and nays being required, are yeas 15—nays 15.

Those who voted in the affirmative, are Messrs.

Blackshear,	Hogg,	Pope,
Cullens,	Knight,	Sorrells,
Griffin,	Lamar,	Swain,
Harris,	N. Mitchell,	Wade, and
Hatcher,	Newsome,	Wimberly.

Those in the negative, are Messrs.

Reasly,	Early,	T. Mitchell,
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Burke,	Fleming,	Montgomery,
Byne,	Foster,	Reed,
Charlton,	Henly,	Talbot, and
Cleveland,	Hudspeth,	Walker.

There being an equal number of votes, the President determined in the negative.

Whereupon the original report was read and agreed to.

On motion of Mr. Hudspeth,

Resolved, That William Meriwether be, and he is hereby appointed a Trustee of Meson Academy in the county of Oglethorpe, in place of George Moore resigned.

A message from the House of Representatives, by Mr. Turner their Clerk.

Mr. President ;

The House of Representatives have passed a resolution appointing Edward Varner, a Vendue master for the town Eatonton—and

They have passed a bill from Senate to divorce certain persons therein named—and he withdrew.

The Senate took up the message and agreed to the resolution.

Mr. Lamar called up the resolution from the House of Representatives authorising his Excellency the Governor to designate such room or rooms in the State-House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville, and the said resolution being read, was amended, agreed to, and is as follows ;

Resolved, That His Excellency the Governor be, and he is hereby authorised to designate such room or rooms in the State-House, as he may think proper, except the rooms assigned for the Senate or Representatives, or the Executive, or the Treasury, Secretary of States', Surveyor General's or Comptroller's Office, for transacting the business of the Branch Bank at Milledgeville; and that the Directors of said Branch Bank be allowed to fit up (at the expence of the institution) such room or rooms, so as to render them safe & convenient for banking purposes.

Mr. Newsom had leave to report a bill to be entitled an act to divorce and separate Jeremiah Pittman and Delany Pittman his wife.

Adjourned 'till to-morrow morning 10 o'clock.

SATURDAY, 7th December, 1816.

On motion of Mr. Montgomery,

Resolved, That it is the opinion of the Senate, that Samuel Lockhart, the member returned from Bulloch county, whose right to a seat has been contested and decided against by Senate, shall be allowed by the committee which may be appointed for examining the members accounts, the daily pay as o-

ther members for the time, he retained his seat as a member.

The bill to be entitled an act, to enable Daniel Hotchkiss, Reuben Taylor, Wm. Gordon and John Fryer, the present proprietors of the line of Stages between the City of Augusta and Savannah, to give security for running the said stages, was read the second time and ordered to a third reading.

The bill to amend an act, entitled an act, to establish the scite of the Public Buildings in the county of Jones, was read the 2d time and ordered to third reading.

To be entitled an act, to divorce and separate Lemiah Pitnam and Delany his wife, was read the 2d time—and

Ordered for committee of the whole.

The bill to be entitled an act, to alter and amend an act, to regulate the town of Eatonton—passed the 12th December, 1809 ; was read the third time and passed.

The bill to be entitled an act for the better regulation of the town of Monicello, in the county of Jasper, was read the third time and passed.

The bill to be entitled an act to amend the act of 1814, to authorise the collection of rent, &c. was taken up for a third reading.

Ordered, that said bill be re-committed to committee of the whole.

The bill to be entitled an act to open and keep open the Streets and Alleys in the town of Warrenton, in the county of Warren and for other purposes, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to explain and amend an act, entitled an act, to regulate Escheats in this state, and to appoint Escheators—passed 5th December, 1801—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the bill without amendment.

Whereupon, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter so much of an act, entitled an act, to regulate the General Elections in this state and appoint the time of the meeting of the General Assembly, so far as the same requires all General Elections to be held at the place of holding the Superior Courts—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported, that they had gone through the bill with amendments.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act entitled an act, to add that part of the unlocated

territory of this state, which lies without the limits of the present counties, to the county of Jasper ; passed the 23d day of November, 1814—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported that they had gone through said bill with amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend the 12th section of an act, to protect the estates of Orphans ; passed 16th December, 1811—Mr. Blackshear in the chair—Mr. President resumed the chair, and Mr. Blackshear reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Elisha Wright—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported, that they have gone through the bill without amendment.

Whereupon, the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have concurred in the resolution authorising the Governor to appoint two persons to each county, for the purpose of attending and bidding at sales of fractional surveys.

In the resolution appointing James Tilman, Shepard Williams, Joshua Hodges, Robert Donaldson and George M'Call, Commissioners of the courthouse and jail of Bulloch county.

In the resolution appointing Brice Simmons a Notary Public, for the county of Bulloch—and

In the resolution appointing Alexander Merriweather, a commissioner of the Louisville Academy.

And in the remonstrance of the Legislature against the treaty of Gen. Jackson, with the creek nation, with an amendment.

They have disagreed to the report of the committee of conference, on the bill to prohibit slaves from selling certain commodities therein mentioned, and have appointed a second committee of conference.

They have passed the bill from Senate, to be entitled an act to provide for taking the census of this state, as required by the constitution with amendments—and

They have passed the following bills :

A bill, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman, one acre of land.

A bill, to be entitled an act, to prevent persons from setting fire to the Woods at improper seasons of the year—and

A bill to compensate the Justices of the Inferior Courts within this State—and be read.

The Senate took up the message and concurred in a second committee of conference therein requested, and added the persons who were appointed on the first committee of conference, as a committee on their part.

They do agree to the amendments made by the House of Representatives, to the bill, to be entitled an act, to provide for taking the census—and

The several bills were read the first time.

Mr. Newsom from the committee on enrolment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts :

An act to incorporate the town of Marion, in the county of Twiggs, and to vest certain powers in the commissioners thereof.

An act, to repeal an act, to authorise a part of the Camden Battalion, to muster in the town of St. Mary's.

An act, to repeal the 5th section of an act, passed the 16th December, 1815, entitled an act, to establish and incorporate an Insurance Company, called the Marine and Fire Insurance company, of the City of Savannah.

An act, to appoint commissioners for the better regulation and government of the village of Appling, and for incorporating the same.

An act, to alter and change the names of certain persons therein named.

An act, to authorise the Justices of the Inferior Court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court-house in said county, and to authorize them to sell and dispose of a decayed Brick-Building in the town of Ebenezer.

An act, to authorize the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the City of Augusta, and to sell, dispose of and convey the same, and for other purposes.

Which were severally received and signed by Mr. President.

Ordered, that the committee carry the same to His Excellency the Governor, for his revision.

On motion of Mr. Wade,

Resolved, That the Sheriff of Scriven county, do pay over to the Commissioners of the Academy of said county the amount which he has received, arising from the sale of a tract of three hundred and ten acres of land the reverted surplus of one thousand acres sold to Thomas Glascock, as is expressed in a resolution, approved 23d November, 1814.

Which was read and ordered to lie on the Table.

Adjourned 'till Monday morning, 10 o'clock.

MONDAY, 9th December, 1816.

On motion of Mr. Talbot,

The Honorable member from Greene, had leave to be absent from Senate, after to-day, for the remainder of the session.

The Senate proceeded to take up the bill, to be entitled an act, to compensate the Justices of the Inferior Courts within this state, which was read the second time—and

On motion of Mr. Blackshear,

Resolved, That the further consideration of this bill, be postponed until the first day of June next—and on the question to agree ? it was determined in the affirmative ; and the yeas and nays being required, are yeas 17—nays 13.

Those in the affirmative are Messrs:

Blackshear,	Hardin,	Newsome,
Cleveland,	Hatcher,	Sorrells,
Cullens,	Henly,	Talbot,
Fleming,	Lamar,	Walker and
Foster,	N. Mitchell,	Wimberly.
Griffin,	Montgomery,	

Those in the negative are Messrs.

Beasley,	Hogg,	Pope,
Burke,	Hudspeth,	Reed,
Byne,	Knight,	Swain, and
Early,	T. Mitchell,	Wade.
Harris,		

The following bills were taken up, read the 2d time and ordered for committee of the whole.

The bill to be entitled an act, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman, one acre of land.

The bill to be entitled an act, to prevent persons from setting fire to the Woods at improper seasons of the year—passed 16th day of December, 1811.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend the act of 1814, to authorise the collection of rents, &c.—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported, that they had gone through the bill with an amendment.

Ordered, that the report do lie on the table.

The bill to be entitled an act, to amend an act entitled an act to establish the Scite of Public Buildings in Jones county, and appropriate the money arising from the sales of Public Lots—was read the third time and passed.

The bill to be entitled an act, to enable Daniel Hotchkiss, Reuben Taylor, William Gordon, and John Fryer, the present proprietors of the line of Stages between the city of Savannah and Augusta, to give security for running said Stages for and to the end of the time, which right of running said line of stages was granted to Lewis Calfrey and

John Coats, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to divorce and separate Jeremiah Pitman and Delany his wife—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the bill with an amendment.

The Senate took up the report, and the bill was read the third time, and on the question, shall this bill now pass? Agreed thereto—the yeas and nays being required, are yeas 19—nays 9.

Those who voted in the affirmative, are Messrs.

Beasley,	Hogg,	Swain,
Cullens,	Knight,	Talbot,
Early,	T. Mitchell,	Wade,
Fleming,	N. Mitchell,	Walker and
Hardin,	Newsom,	Wimberly.
Harris,	Pope,	
Henly,	Sorrells	

Those in the negative, are Messrs.

Blackshear,	Cleveland,	Hatcher,
Burke,	Foster,	Hudspeth, and
Byne,	Griffin,	Montgomery.

There being a constitutional majority required, and the President having voted in the negative, the bill was lost.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to amend an act, entitled an act to regulate the elections in this state, and to appoint the time of the meeting of the General Assembly, so far as the same requires the general elections to be held at the place of holding the Superior courts; and the same being read, was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 18.

Those in the affirmative are Messrs.

Beasley,	Hatcher,	Newsome,
Burke,	Hudspeth,	Pope, and
Cleveland,	T. Mitchell,	Sorrells.
Harris,	Montgomery,	

Those in the negative, are Messrs.

Blackshear,	Griffin,	Reed,
Byne,	Hardin,	Swain,
Cullens,	Henly,	Talbot,
Early,	Hogg,	Wade,
Fleming,	Knight,	Walker and
Foster,	N. Mitchell,	Wimberly.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to add that part of the unlocated Territory of this state, which lies without the limits of the present counties, to the county of Jas-

per, passed the 23d day of November, 1814—and the same being read, was agreed to.

Whereupon, the bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 5.

Those who voted in the affirmative, are Messrs:

Beasley,	Hatcher,	Reed,
Burke,	Henly,	Sorrells,
Byne,	Hudspeth,	Swain,
Cleveland,	Knight,	Talbot.
Cullens,	T. Mitchell,	Wade,
Early,	N. Mitchell,	Walker and
Foster,	Newsome,	Wimberly.
Griffin,	Pope,	

Those in the negative are Messrs.

Blackshear,	Hardin,	Hogg,
Fleming,	Harris and	

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act to alter and amend the 12th section of an act, to protect the estates of Orphans, passed the 16th December, 1811—Mr. T. Mitchell in the chair; Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the same without amendments.

Whereupon, the said bill was read the third time and passed.

On motion of Mr. Montgomery,

Resolved, That the Secretary inform the House of Representatives, that the Senate will adjourn on Saturday morning next, *sine die*.

On motion of Mr. Early,

Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That His Excellency the Governor be, and he is hereby requested, to urge the Executive government of the United States, to take the necessary measures for causing the boundary line between the U. S. and the Spanish dominions adjacent to Georgia, to be ascertained and marked.

Mr. Harris had leave to report a bill to be entitled an act, to authorise Charles Richardson Parker, to establish a Lottery; which was read the first time.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to amend the act of 1814, entitled an act, to authorise the collection of rents within the city of Augusta and the precincts thereof, and the same being read was agreed to.

Whereupon, the said bill was read the 3d time and passed.

Mr. Foster called up the resolution authorising His Excellency the Governor to settle with the General Government, the fourth Direct Tax of this state, which being read was agreed to.

A message from the House of Representatives by Mr. Turner, their Clerk :

Mr. President ;

The House of Representatives have passed the following resolutions :

A resolution appointing Pierson Pettit a Notary public for the town of Wrightsborough and the county of Columbia.

A resolution appointing Thomas Hancock, William N. Harman and James Stone, Esqs. Commissioners of the town of Louisville, in the county of Jefferson, in place of Maj. John Berrien, deceased, and David Clarke and Joseph White removed—and

A resolution appropriating the sum of one hundred dollars to Joseph Nichols.

They have passed a bill to be entitled an act authorising the Justices of the Inferior court of Clarke county, to levy an extra tax, for the purpose of building and repairing the bridges of said county—and

A bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue Masters, Notaries Public and Lumber measurers in certain persons therein mentioned—and he withdrew.

The Senate took up the message, and concurred in the resolution appointing Pierson Pettit a Notary Public for Wrightsborough and Columbia county—and

The resolution appropriating the sum of one hundred dollars to Joseph Nichols.

The resolution appointing Thomas Hancock, William N. Harmon and James Stone, Esqs. Commissioners of the town of Louisville, was read, and

Ordered to lie on the table the balance of the session.

And the several bills were read the first time.

Resolved, That Mr. Foster have leave to withdraw the Petition of the Commissioners of Wrightsborough in the county of Columbia, and the counter Petition of Pierson Pettit and others accompanying the same.

Adjourned 'till to-morrow morning 10 o'clock.

TUESDAY, 10th December, 1816.

The Senate re-considered the minutes of yesterday, so far as respects the bill to be entitled an act to separate and divorce Jeremiah Pittman and Melany his wife—and

Ordered that said bill do lie on the table.

They also proceeded to re-consider the minutes so far as respects the bill to be entitled an act to amend an act, entitled an act to regulate the elections in this

state, &c.—and on the question to agree to re-consider, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 8.

Those in the affirmative are Messrs.

Beasley,	Hogg,	Pope,
Burke,	Hudspeth,	Sorrells,
Cleveland,	Knight,	Swain,
Griffin,	T. Mitchell,	Talbot,
Hardin,	N. Mitchell,	Wade and
Harris,	Montgomery,	Walker,
Hatcher,	Newsom,	

Those in the negative are Messrs.

Blackshear,	Fleming,	Reed and
Byne,	Foster,	Wimberly.
Cullens,	Henly,	

The following bills were read the 2d time—and Ordered for committee of the whole.

The bill to authorise Charles Richardson Parker to establish a Lottery ;

The bill to vest the appointment of Commissioners of Academies, Vendue masters, Notaries Public and Lumber Measurers in certain persons therein mentioned—and

The bill to be entitled an act, authorising the Justices of the Inferior court of Clark county, to levy an extra tax for the purpose of building and repairing the bridges of said county.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to prevent persons from setting fire to the woods at improper seasons of the year, passed 16th December, 1811—Mr. N. Mitchell in the chair ; Mr. President resumed the chair, and Mr. Mitchell reported, that the further consideration of this bill be postponed until June next.

The Senate took up the report, and the same being read was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman one acre of land—Mr. Sorrells in the chair ; Mr. President resumed the chair, and Mr. Sorrells reported that they had gone thro' the bill without amendment.

The Senate took up the report—and

On motion,

To strike out "lease to John Troutman," and insert "sell to the highest bidder"—and on the question, it was determined in the negative, and the yeas and nays being required, are yeas 13—nays 16.

Those in the affirmative are Messrs.

Beasley,	Hogg,	Reed,
Burke,	T. Mitchell,	Sorrells,
Byne,	Montgomery,	Swain and
Cleveland,	Pope,	Wimberly.
Hatcher,		

Those in the negative, are Messrs.
 Blackshear, Harris, N. Mitchell,
 Cullens, Henly, Newsom,
 Fleming, Hudspeth, Talbot,
 Foster, Knight, Wade and
 Griffin, Lamar, Walker.
 Hardin,

On motion,

Resolved, That the words "to John Troutman" be stricken out, and the words "to the highest bidder" be inserted—on the question to agree? it was determined in the affirmative—and the yeas and nays being required, are yeas 20—nays 9.

Those in the affirmative, are Messrs.

Beasley, Harris, Newsom,
 Blackshear, Hatcher, Pope,
 Burke, Hogg, Reed,
 Byne, Knight, Sorrells,
 Cleveland, T. Mitchell, Swain and
 Cullens, N. Mitchell, Wimberly.
 Griffin, Montgomery,

Those in the negative are Messrs.

Fleming, Henly, Talbot,
 Foster, Hudspeth, Wade and
 Hardin, Lamar, Walker.

The report was read, amended and agreed to.

Whereupon, the said bill was read the third time and passed under the title of an act, to authorise the Commissioners of the town of Milledgeville, to lease one acre of land.

A message from the House of Representatives by Mr. Turner their clerk :

Mr. President :

The House of Representatives have added Mr. Duke to the committee of conference, on the bill to prohibit slaves from selling certain commodities, &c.—and he withdrew.

The Senate took up the message, and added Mr. Walker on the committee on their part.

The Senate took up the bill to be entitled an act, to amend an act, entitled an act, to regulate elections in this state, and to appoint the time of the meeting of the General Assembly, so far as the same requires the General Elections, to be held at the place of holding the Superior Courts—and on the question shall this bill now pass? the yeas and nays being required, are yeas 13—nays 13.

Those in the affirmative, are Messrs.

Burke, Hudspeth, Pope,
 Cleveland, T. Mitchell, Sorrells
 Griffin, Montgomery, Swain and
 Harris, Newsom, Wade.
 Hatcher,

Those in the negative are Messrs.

Blackshear, Byne, Cullens,

Fleming, Hogg, Reed,
 Foster, Knight, Talbot and
 Hardin, N. Mitchell, Walker.
 Henly,

There being an equal number of votes, the President determined in the affirmative.

Mr. Newsom had leave to introduce a bill, to be entitled an act, to incorporate the Trustees of Warrenton Academy, in the county of Warren—which was read the first time.

The Senate took up the bill, to be entitled an act, to divorce and separate Jeremiah Pitman and Delany his wife—and on the question shall this bill now pass? it was determined in the affirmative & the yeas and nays being required, are yeas 20—nays 5.

Those who voted in the affirmative, are messrs.

Beasley, Hogg, Sorrells,
 Cullens, Knight, Swain,
 Fleming, T. Mitchell, Talbot,
 Hardin, N. Mitchell, Wade,
 Harris, Newsom, Walker and
 Hatcher, Pope, Wimberly.
 Henly, Reed,

Those in the negative, are messrs.

Burke, Griffin, Montgomery.
 Byne, Hudspeth, and

Mr. Wade called up the resolution, authorising the Sheriff of Scriven county, to pay over to the Commissioners of the Academy of Scriven county, the amount which he has received, arising from the sale of three hundred and ten acres of land, the reverted surplus of 1000 acres, sold to Thomas Glasscock—

Which being read, was ordered to lie on the table the balance of the session.

Mr. Newsom from the committee on enrolment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts :

An act, to provide for taking the census of this state, as required by the constitution.

An act, to divorce certain persons therein named.

An act, to alter and amend an act, to regulate the town of Eatonton, passed 12th December 1809.

An act, for the better regulation of the town of Monticello in the county of Jasper.

An act, to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit or district of this state.

An act, to impose an additional tax on Pedlars, and other itinerant traders.

An act, to provide for the payment of costs, in certain cases therein mentioned.

An act, to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

An act to amend the 5th section of act, for the appointment of county officers—passed the 16th day of February, 1799.

An act, to explain and amend an act entitled an act to regulate Escheats in this state, and to appoint Escheators, passed 5th December 1801.

An act, for altering the uniform of the Militia Officers of the state of Georgia.

An act, for the better regulation and government of the town of Powelton, in the county of Hancock.

An act, to authorise Russel Goodrich, Nicholas Byers, David Russell, Arthur H. Henly and John Lowry, to open a road from the head of boatable water on Tugalo river, the most direct rout to fall into the road at Samuel Thompson's, on Nine mile creek, in East Tennessee, and to incorporate themselves into a company by the name of the Unicoi or Unicoi Turnpike Company.

An act, to alter and amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways & bridges, in this state—passed the 16th December, 1811—and the act amendatory thereof, passed the 10th December, 1812, so far as respects the county of Warren.

An act, to prevent Boat Owners or Patroons, from permitting Boat-hands or other Negroes, from trafficking in corn or other produce, or from carrying the same to market on board of the Boats, accustomed to navigate the river Savannah, between Augusta & Savannah.

An act, to incorporate the Protestant Episcopal Society of Augusta, and county of Richmond, and to authorise the Trustees of Richmond Academy, to convey a lot of land in the City of Augusta, to the said protestant Episcopal Society.

An act, to alter and amend an act, entitled an act, for the better regulation and government of the town of Sparta, in the county of Hancock—passed on the 3d of December, 1805—and

An act, to open and keep open the streets and alleys in the town of Warrenton, in the county of Warren, and for other purposes.

Which were severally received, and signed by the President.

Ordered, that the Committee do carry the said several acts to His Excellency the Governor, for his revision.

Adjourned 'till 10 o'clock to-morrow morning.

WEDNESDAY, 14th December, 1816.

On motion of Mr. Hatcher,

Resolved, That the sum of ten dollars and 2 1-2 cents be, and the same is hereby appropriated to William Wilson, it being a sum by him over paid the state, through a mistake, in the Receiver of Tax Returns, for Wilkinson county.

The bill, to be entitled an act, to incorporate the Warrenton Academy, was taken up and read the second time.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to authorise Charles Richardson Parker, to establish a Lottery—Mr. Swain in the chair—Mr. President resumed the chair, and Mr. Swain reported, that the further consideration of this bill be postponed until June next.

The Senate took up the report, which was read and agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue-Masters, Notaries Public & Lumber Measurers in certain persons therein mentioned—Mr. Burke in the chair—Mr. President resumed the chair, and Mr. Burke reported, that they had gone through the bill without amendment.

Ordered, to lie on the table.

Mr. Hudspeth from the Committee on Finance, reported, to wit :

Milledgeville, December 7th, 1816.

The Joint Committee of Finance, to whom was referred two letters, dated the 23d November last, and the 3d inst. from the Commissioners of the Penitentiary Edifice, enclosing their account of monies received and expended on the building, between the 14th November, 1815, and the 11th November, 1816,

Report, That upon an examination of the account, which appears to be fairly stated, it is ascertained, that during the time aforesaid, \$ 18,129 02 1-2 cents, has been expended, and that a balance remained in the hands of Commissioners of \$ 4,096, 77 3-4, on the aforesaid 11th November, 1816.

That an appropriation of \$ 25,000, is required to complete that part of the building already begun; and a further sum of \$ 4000, to meet any contingent expenditures which may be incurred in the final completion of the building for use, making with the sum already appropriated of \$ 56,000 the sum of \$ 85,000.

The joint committee recommend, that the Legislature do make the appropriation of the sum of \$ 29,000 in conformity to the recommendation of the Commissioners, for the final completion of that part of the Penitentiary Edifice already begun.

Which was read and ordered to lie on the table.

The committee on Finance having taken up the

subject relative to the money necessary to be appropriated to meet the engagements of the State for her Shares in the State Bank, recommend that an appropriation of \$ 102,000, being the first payment of 17 per centum omitted to be put in the last year's appropriation—the further sum of 20 per centum on the second instalment, being \$ 120,000, and 23 per cent on the third instalment for \$ 138,000—this amount due and unappropriated, being \$ 360,000:

And the further sum of \$ 240,000 for the purpose of paying the balance of the subscription of the State to the Bank of the State of Georgia when called for, making in the whole, the sum of \$ 600,000.

And they further recommend an appropriation of \$ 2,200 to Adams & Duyckinck, for printing and binding Clayton's Digest of the Laws of Georgia.

And the further sum of \$ 3,000 to pay for the printing the Laws and Journals and other public printing, during the political year 1817, or so much thereof as may be necessary—which was read, and

Ordered to lie on the table.

On motion,

Resolved, That Messrs. Hudspeth, Foster and Blackshear, be a committee on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to examine the Penitentiary Edifice and Wall around part of the same, together with the Workshops, and report to this Legislature, the situation of the said Penitentiary Edifice and its appurtenances, and what is further necessary to be done.

Mr. Foster from the committee on conference, on the bill to be entitled an act to prohibit slaves from selling certain commodities, &c. reported,

That the Senate recede and concur with the House of Representatives.

Ordered, that the report do lie on the table.

On motion of Mr. Hardin,

Resolved, That His Excellency the Governor be, and he is hereby authorised and requested to contract with some fit and proper person to make and hang a complete set of Venetian blinds for the windows of the Capitol of this State, and pay for the same out of the contingent fund—which being read was disagreed to.

Mr. Henly from the committee on Petitions, reported, which being read, was amended as follows, and agreed to.

The committee on Petitions, to whom was referred the Petition of Greene Robinson and Henry Robinson, stating that they had undertaken the erection of the Penitentiary Wall, for a sum less than its value, & praying an augmentation of the price of the building of the Wall. The committee report, that they are of the opinion, that the Legislature have nothing to do with the contracts of individuals.

P

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue Masters, Notaries Public and Lumber measurers, in certain persons therein mentioned—which was read and agreed to, and the bill read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have passed a resolution appointing Tho's W. Grimes, a Vendue master for the town of Greensborough.

They have passed a resolution compensating persons who attended to revise the Militia laws of this state.

They have agreed to the amendments made by Senate to the bill for the better regulation of Washington—and

In the bill to amend an act to regulate the town of Lexington—and

They agree to all the amendments made to the bill obstructing the free passage of fish, except the following :—" and particularly from the main sluice or sluices," which they disagree to—and he withdrew.

The Senate took up the message and concurred in the resolution appointing Tho's W. Grimes, Vendue-master for the town of Greensborough—and.

Resolved, That the Senate do recede from their amendment to the bill to impede the free passage of fish, disagreed to by the House.

Ordered, that the resolution compensating the members who attended to revise the Militia laws, do lie on the table.

Adjourned until to-morrow morning 10 o'clock.

THURSDAY, 12th December, 1816.

The Senate proceeded to reconsider the minutes of yesterday, so far as respects the resolution requiring the Governor to have Venetian blinds affixed to the windows of the State House—and

Ordered, that the resolution do lie on the table.

The bill to be entitled an act to incorporate the Warrenton Academy, in the county of Warren, was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk ;

Mr. President,

The House of Representatives have passed the bill from Senate, to be entitled an act to reform the

Penal Code of this state with sundry amendments—and he withdrew.

The Senate took up the message, and

On motion,

That the Senate do agree to the amendment made by the House of Representatives to the 16th section of the seventh Division, in page the ninth, in the words following, “after the words ‘shall be punished,’ strike out the balance of the section, and insert, ‘by restitution of the goods so stolen, or the value thereof, at the time of such taking, and by imprisonment in the Penitentiary, at hard labor, or in solitude, for any time not less than one year, nor longer than 5 years, as the Jury may recommend’”—and on the question to agree to the amendment, it was determined in the affirmative, and the yeas and nays being required, are yeas 22—nays 5.

Those who voted in the affirmative, are Messrs.

Beasley,	Hatcher,	Reed,
Byne,	Hogg,	Sorrells,
Cleveland,	Hudspeth,	Swain,
Cullens,	T. Mitchell,	Talbot,
Fleming,	N. Mitchell,	Wade and
Foster,	Montgomery,	Wimberly.
Griffin,	Newsome,	
Hardin,	Pope,	

Those in the negative, are Messrs.

Blackshear,	Harris,	Walker.
Burke,	Henly and	

On the question to agree to the following clause as an amendment to said bill, in the words following, to wit:

“Any person who may be found playing at any game with cards, dice, checks, or any other instrument or article used in gambling, or at any gaming table of any description or name whatsoever, for money or property, or betting money or property on any exercise or gambling, shall be indicted, and on conviction, be fined in any sum not less than fifty dollars, nor more than five hundred dollars, at the discretion of the Jury—one half to the benefit of the informer, and the other half for the use of the county where the offence may have been committed”—it was determined in the negative; and the yeas and nays being required, are yeas 11—nays 15.

Those who voted in the affirmative are Messrs.

Beasley,	Hogg,	Sorrells,
Burke,	Montgomery,	Wade and
Byne,	Pope,	Wimberly.
Hatcher,	Reed,	

Those in the negative are Messrs.

Blackshear,	Hardin,	N. Mitchell,
Cleveland,	Harris,	Newsome,
Fleming,	Henly,	Swain,
Foster,	Hudspeth,	Talbot and
Griffin,	T. Mitchell,	Walker.

And on the question to agree to the following clause as an amendment to said bill, in the words following, to wit:

And be it further enacted, That it shall be lawful for any lawful officer to break open suspected rooms or houses, where it is commonly known that gaming is carried on, and to take any persons found gaming, and bind them over to the next Superior court to be held in and for the county where such offences may be committed—it was determined in the affirmative, and the yeas and nays being required, are yeas 15—nays 11.

Those who voted in the affirmative are Messrs.

Beasley,	Hatcher,	Montgomery,
Blackshear,	Henly,	Pope,
Burke,	Hogg,	Reed,
Cleveland,	T. Mitchell,	Wade and
Foster,	N. Mitchell,	Wimberly.

Those in the negative are Messrs.

Byne,	Harris,	Swain,
Fleming,	Hudspeth,	Talbot and
Griffin,	Newsom,	Walker.
Hardin,	Sorrells,	

The several amendments of the House being considered, were agreed to; except the amendment on the subject of gambling, which was disagreed to by the Senate.

Mr. Hardin had leave to report a bill to be entitled an act, to encourage a new mode of transporting merchandize on the waters of the State of Georgia, and for propeling mills and other machinery in the same, which was read the first time, and

Ordered to lie on the table the balance of the session.

The Senate took up the resolution from the House of Representatives, requesting His Excellency the Governor to pay the accounts of the members of the Military Board, appointed by the last Legislature, to revise and amend the militia laws who attended at Washington and at Milledgeville for that purpose; which was read, and

Ordered, to lie on the table the balance of the session.

Adjourned 'till to-morrow morning 10 o'clock.

FRIDAY, 13th December, 18t6.

Mr. Hardin called up the resolution, requesting His Excellency the Governor, to contract for the making and hanging a complete set of venitian blinds for the windows of the Capitol of this State—which was again read and disagreed to.

On motion of Mr. Montgomery,

Resolved, That His Excellency the Governor be and he is hereby authorised and requested, to trans-

mit to the President of the United States, the memorial and remonstrance of the present Legislature, on the subject of the Treaty made by General Jackson, with the Creek Indians, together with his opinion and views on that subject.

And that he also, transmit a copy thereof, to each of the Senators and Representatives in Congress, with instructions to our Senators, and a request to our Representatives, to use their influence with the General Government, to obtain at as early a period as possible, an extension of settlement, by extinguishing the Indian title, to the lands on either of our frontiers—and that the application be prosecuted with energy, but with respect, & not to be discontinued, until the just and equitable demands of the state are attended to.

A message from the House of Representatives, by Mr. Turner, their clerk :

Mr. President ;

The House of Representatives have agreed to Senate's amendments, to the following bills, to wit :

The bill, to authorise the Commissioners of the town of Milledgeville, to lease one acre of land of the town's commons, to John Troutman.

To amend an act, entitled an act to add that part of the unlocated territory of this state, which lies without the limits of the present counties, to the county of Jasper, passed the 23d day of November 1814.

To alter so much of an act, entitled an act, to regulate the General elections of this State, and to appoint the time of the meeting of the General Assembly, so far as the same requires all general elections to be held at the place of holding the Superior Courts.

They have agreed to the amendments of Senate, to the resolution authorising the Governor to designate such room or rooms in the State-House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville.

They have agreed to the report of the second committee of conference, on the subject matter of disagreement, between the two branches of the General Assembly, relative to the bill, to prohibit slaves from selling certain commodities therein mentioned.

The House of Representatives have unanimously agreed to the following amendments to the act, to which the Governor has assented: to prevent the circulation of notes emitted by unchartered Banks, and the issuing of due-bills of certain descriptions, and for other purposes.

Sec. 4th, 3d line. after the words "Bank of the United States," strike out the word "or" and insert the word "and."

In the title, strike out the words, "and for other purposes," and insert the words, "and to compel

the chartered banks of this state, to resume specie payments, whenever the bank of the United States, and the banks of the adjacent States, shall commence specie payments, and also to require of them, to redeem their notes under five dollars, with specie or change bills issued by some one of said chartered banks," and have unanimously passed the same as amended.

They have concurred in the following resolutions from Senate.

A resolution appointing Maj. James Smith, a Notary Public for the town of Clinton and county of Jones.

The resolution appointing Tuttle H. Moreland and Duncan Ray, Notaries Public for the town of Hartford and county of Pulaski.

The resolution appointing William Merriwether a Trustee of Meson Academy, in the county of Oglethorpe.

The resolution requesting His Excellency the Governor, to urge the Executive Government of the United States, to take the necessary measures for causing the boundary line, between the United States and the Spanish dominions, adjacent to Georgia, to be ascertained and marked.

They have concurred in the report of the Committee on the State of the Republic, relative to the subject of the Oconee Navigation—and

In the report of the Committee, on the petition of Edward Pate.

They have concurred in the resolution from Senate, appointing a committee to examine the Penitentiary Edifice, and Wall around the same, together with the workshops, and report to this Legislature, and have added a committee on their part, consisting of Messrs. Stocks, Tankersly and Pope—and

They have concurred in the resolution authorising His Excellency the Governor, to discharge the 4th Direct Tax, with an amendment.

They have passed the following resolutions, to wit :

A resolution appointing Samuel Rockwell, a Notary Public, for the City of Savannah, and County of Chatham.

A resolution appointing Anthony Dyer, a Trustee for the Monticello Academy, in the county of Jasper—and

A resolution appointing Paul McCormick a Notary Public, for the town of Irwinton, in the county of Wilkinson, in room of Ransom Worrell, removed.

They have passed the following bills from Senate with amendments :

A bill, to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots,

in the town of Milledgeville, for the benefit of said Academy.

The bill to be entitled an act, in addition to and amendatory of an act, to regulate attachments in this State—and

The bill, entitled an act, to alter and change the names of certain persons therein mentioned.

The bill to be entitled an act, to legalise the proceedings of the Superior and Inferior Courts of the respective counties in this state, and to render valid the acts of the public officers of the same—and

The bill to be entitled an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes therein mentioned, they have passed without amendment.

They have passed the following bills, which originated in the House of Representatives :

A bill, to be entitled an act, to compel Clerks of the Inferior courts of this state, to pay over money deposited in their hands.

A bill, to be entitled an act, to amend an act, passed the 14th December, 1815, for the better regulation of the town of Watkinsville, in the county of Clarke.

A bill to be entitled an act, to authorise the Justices of the Inferior Court of Elbert county, to build or erect a new court-house at any place in their discretion within three hundred yards of where the old one now stands—and

The bill to be entitled an act, to amend the several road laws now in force in this state, so far as respects the county of Clarke—and he withdrew.

The Senate took up the message, and unanimously agreed to the amendments made by the House of Representatives, to the bill to be entitled an act, to prevent the circulation of notes emitted by unchartered banks, and the issuing of due-bills of certain descriptions, and for other purposes.

The Senate took up the amendment to the bill to alter and change the names of certain persons therein mentioned, which was read and agreed to.

The amendment to the bill, to be entitled an act, in addition to, and amendatory of an act, to regulate attachments in this state, was read and agreed to—&

The amendment to the bill, to authorise the Commissioners of Baldwin county Academy to sell and convey six lots in the town of Milledgeville, for the benefit of said institution was read and agreed to.

The Senate took up the amendment to the resolution authorising His Excellency the Governor, to discharge the fourth Direct tax of this state, in the words following, to wit :

“And that his Excellency be, and he is hereby requested to notify the General Government, as soon as convenient, of the intention of this state to assume

its quota of any Direct Tax, which may be imposed by Congress ;” which was read and agreed to.

The resolution appointing Anthony Dyer, a Trustee of the Monticello Academy.

The resolution appointing Paul M'Cornick, a Notary Public for the town of Irwinton—and

The resolution appointing Samuel Rockwell a Notary Public for the City of Savannah and county of Chatham, were severally taken up, read and concurred in—and

The bills therein contained were read the first time.

The Senate took up the report of the second committee of conference, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein mentioned, which being read is as follows : That the Senate recede and concur with the House of Representatives, was agreed to.

A message from His Excellency the Governor by Mr. Wood, his Secretary :

Mr. President ;

I am directed by His Excellency the Governor, to inform the Senate, that he has assented to and signed the several acts, which originated in this Branch of the Legislature, viz :

An act, to repeal the 5th section of an act, passed the 16th December, 1815, entitled an act, to establish and incorporate an Insurance Company, called the Marine and Fire Insurance company, of the City of Savannah.

An act, to authorise the Justices of the Inferior Court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court house in said county, and to authorize them to sell and dispose of a decayed Brick Building in the town of Ebenezer.

An act, to alter and change the names of certain persons therein named.

An act, to appoint commissioners for the better regulation and government of the village of Appling, and for incorporating the same.

An act to incorporate the town of Marion, in the county of Twiggs, and to vest certain powers in the commissioners thereof—and

An act, to repeal an act, to authorise a part of the Camden Battalion, to muster in the town of St. Marys—and he withdrew.

Ordered, that the Committee do carry the said bills, to the Secretary of State's Office, and see the Great Seal of the State affixed to them respectively.

A message from the House of Representatives by Mr. Turner, their clerk :

Mr. President ;

The House of Representatives adhere to the a-

amendment to the bill to be entitled an act, to reform the Penal Code of this state, and request a committee of conference, and have appointed on their part, Messrs. Tankersly, B. Williams, Pope, Stocks and Ryan.

The Senate took up the message and it being read,

Resolved, That the Senate do concur in a committee of conference.

Ordered, that Messrs. Foster, Montgomery, Talbot, Blackshear and Cullens be the committee.

A message from His Excellency the Governor by Mr. Heath his Secretary ;

Mr. President ;

I am directed by His Excellency the Governor to notify this branch of the Legislature, that he has approved of, and signed five resolutions, which originated in this branch of the Legislature.

And I am also directed by His Excellency the Governor to return to this branch of the General Assembly,

An act, to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street in the city of Augusta, and to sell, dispose of, and convey the same, and for other purposes, with his dissent thereto—and he withdrew.

The Senate took up the message, and

Resolved unanimously, That the Senate do strike out in the caption of said bill, the words, "for other purposes therein mentioned," and that it be inserted in lieu thereof, "to appropriate the money arising from the sale of said lots."

On motion of Mr. Montgomery,

Resolved, That the Sheriff of Effingham county be, and he is hereby authorised and required to sell a tract of land in said county, containing by estimation three thousand acres, which was confiscated as the property of Thomas Skinner, the sale to be on the day prescribed by law for Sheriffs' sales, after giving thirty days notice in some one of the Gazettes of this state, and to the highest bidder, and paid in three annual instalments, and be well secured by bond and personal security, each instalment in ten notes of equal sums, and be equally divided amongst the Commissioners of the Academies of the several counties of Elbert, Jackson, Morgan, Jasper, Putnam, Laurens, Montgomery, Scriven, Bulloch and Clarke, and that the Com'rs do appoint an Agent to attend said sale, and see that said land does not sell for less than its worth, or bid off the same for the use of the Academies of said counties, and that the Commissioners of confiscated property do make titles to the purchasers.

Mr. Montgomery laid on the table the following resolutions ;

Resolved, That he, and they are hereby appointed a Board of Inspectors for the Penitentiary and its appurtenances—and

Resolved, That he, and they are hereby appointed a committee to inspect the members accounts, and that they allow no wages to any member for any day or days which he or they have been absent from the Senate, either with, or without leave, unless prevented from attendance by the act of God.

Adjourned 'till 10 o'clock to-morrow morning.

SATURDAY, 14th December, 1816.

The Senate re-considered the minutes of yesterday, relative to the payment of the fourth Direct tax.

On motion,

Resolved, That the Honorable Member from the county of Burke, and the Honorable Member from the county of Madison, have leave of absence after to day, for the remainder of the session.

The Senate took up the bills in order, and the following bills were read the 2d time, and

Ordered for committee of the whole.

The bill to authorise and empower the Justices of the Inferior court of Elbert county, to build or erect a new Court-House at any place in their discretion, within three hundred yards where the old one now stands.

The bill to be entitled an act to amend the several road laws now in force in this state, so far as respects the county of Clarke—and

The bill to be entitled an act to compel Clerks of the Inferior courts of this state to pay over money deposited in their hands.

The bill to be entitled an act, to amend an act, passed the 14th December 1815, for the better regulation of the town of Watkinsville, in the county of Clarke, was read the 2d time, and

Ordered for a third reading.

A message from the House of Representatives by Mr. Turner their Clerk ;

Mr. President ;

The House of Representatives have passed the following bills from Senate without amendment :

A bill to be entitled an act, amendatory of the several acts relating to the town of Greensborough.

A bill to be entitled an act, to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from pla-

ing obstructions so as to prevent the free use of the navigation of the same—and

The bill to be entitled an act to enable Daniel Hotchkiss, Reuben Taylory William Gordon and John Flyer, the present proprietors of the line of Stages between the city of Savannah and Augusta, to give security for running the said line of Stages for, and to the end of the time, which right of running the said line of Stages was granted to Lewis Calhry and John Coats.

They have passed the following bills from Senate with amendments :

The bill to be entitled an act to alter the times of holding the Superior courts of the Middle circuit of this state.

The bill to be entitled an act to authorise the Justices of the Inferior court of Telfair county to levy an extra tax—and

The bill to be entitled an act to amend an act, entitled an act, to authorise the Trustees of the University of Georgia to sell the lands belonging to said University, and to systemize the funds belonging thereto, passed the 16th December 1815, and to amend the several acts heretofore passed, for the more full and complete establishment of a public seat of learning in this state.

They have passed an act to authorise Armstead Burt and others to keep a Ferry on Savannah river.

They have agreed to the reports of the committee on petitions, allowing gratuities to widows of deceased soldiers.

They have agreed to the amendment of Senate to the bill altering the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior court of the county of Madison.

They have passed a resolution allowing the accused in all criminal prosecutions, to have the concluding argument to the Jury.

They have agreed to two reports of the committee on Finance—

One relative to an appropriation for the Penitentiary Edifice, and the other making sundry other appropriations to pay for the States' shares in the Bank of the State of Georgia, &c.—and he withdrew.

The Senate took up the message and the several amendments made by the House of Representatives to the bills therein contained, were read and agreed to.

The Senate took up the several reports and resolutions of the committee on petitions, which were read—and

Ordered to lie on the table.

The report of the committee on Finance, making

appropriations for the payment of the States' Shares in the Bank of the State of Georgia, &c. was taken up read and agreed to—and

The report relative to an appropriation for the Penitentiary Edifice, was read, and

Ordered to lie on the table—and

The bill to be entitled an act to authorise Armstead Burt and others to keep a Ferry on Savannah river, was read the first time.

Mr. Foster from the committee of conference, reported, to wit :

The joint committee of conference to whom was referred the subject matter of difference between the Senate and House of Representatives, on the bill to be entitled an act to reform the Penal Code of this State, and to adapt the same to the Penitentiary system, recommend that the Senate recede and concur with the House of Representatives, which being read was disagreed to ; and the yeas being required, are yeas 9—nays 18.

Those who voted in the affirmative, are Messrs.

Burke,	Knight,	Reed,
Cullens,	Montgomery,	Surrells and
Hardin,	Pope,	Wade.

Those in the negative, are Messrs.

Beasley,	Griſſa,	T. Mitchell,
Blackshear,	Harris,	N. Mitchell,
Byne,	Hatcher,	Newson,
Cleveland,	Henly,	Swain,
Fleming,	Hogg,	Talbot and
Foster,	Hudspeth,	Walker.

On motion of Mr. Hardin,

Whereas it is found by experience that the attendance of the Adjutant General in the several regiments within this state, to be entirely inadequate to the purpose contemplated, to wit : In perfecting the militia of this state in the approved mode of tactics prescribed by the laws of the United States. :

Be it therefore resolved, by the Senate and House of Representatives, in General Assembly met, and it is hereby resolved by the authority of the same, That in future the service or attendance of the Adjutant General in the several Regiments in this State at Regimental Reviews, or Convention of Officers, be and the same is hereby dispensed with, any resolution to the contrary notwithstanding.

Which was read, and ordered to lie on the table.

On motion of Mr. Talbot,

Resolved, That James Wingfield be, and he is hereby appointed a Commissioner of the Academy of the town of Washington, in place of Dr. Gilbert Hay, resigned.

On motion,

Resolved, That Messrs. Montgomery, Harris and Henly be, and they are hereby appointed a committee, to inspect the numbers' and officers' accounts.

A message from the House of Representatives by Mr. Turner their clerk :

Mr. President :

The House of Representatives have passed the following bills :

A bill, to be entitled an act, to appropriate monies for the political year 1817—and

A bill, to be entitled an act, to levy a Tax, for the support of Government, for the political year 1817—and

They have agreed to the report of the Committee of Conference, on the subject matter of disagreement between the two branches of the General Assembly, to the bill, to be entitled an act, to reform the Penal Code of this State—and he withdrew.

The Senate took up the message, and disagreed to the report of the committee of conference from the House of Representatives, and request a second committee of conference, and have appointed on their part, Messrs. Foster, Blackshear, Talbot, Harris & Henly.

They disagree to the resolution authorising the accused in all criminal prosecutions, to have the conclusion—and

Ordered, that the said resolution do lie on the table for the remainder of the session—and

The several bills therein from the House of Representatives, were read the first time.

A message from His Excellency the Governor, by Mr. Wood his Secretary :

Mr. President :

I am directed by His Excellency the Governor, to inform the Senate, that he has assented to, and signed the several acts, this being the branch of the Legislature in which they originated.

An act, to amend the 5th section of an act, for the appointment of county officers—passed on the 16th day of February, 1799.

An act, for altering the uniforms of the Militia Officers of the state of Georgia.

An act, to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

An act, to divorce certain persons therein named.

An act, to provide for taking the census of this state, as required by the Constitution.

An act, to legalize and make valid, the acts and proceedings of the Sheriffs', Clerks', and other Officers belonging to the middle Judicial Circuit or District of this State.

An act, to prevent Boat Owners or Patroons, from permitting Boat-hands or other Negroes, from trafficking in corn or other produce, or from carrying the same to market on board of the Boats, accustomed

ed to navigate the river Savannah, between Augusta & Savannah—and he withdrew.

Ordered, that the Committee do carry the said several acts, to the Secretary of State's Office, and see the Great Seal of the State affixed respectively there-to.

Adjourned 'till Monday morning 10 o'clock.

MONDAY, 16th December, 1816.

The following bills were taken up, and severally read the 2d time, and referred to the committee of the whole.

A bill, to be entitled an act, to levy a tax for the support of Government, for the political year, 1817.

The bill, to be entitled an act to appropriate monies for the political year 1817.

The bill, to be entitled an act, to authorise Armstead Burt and others, to keep a Ferry on Savannah river.

The bill, to be entitled an act, to amend an act, passed 14th day December, 1815, for the better regulation of the town of Watkinsville, in the county of Clarke, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to compel Clerks of the Inferior Courts of this state, to pay over monies deposited in their hands—Mr. Reed in the chair—Mr. President resumed the chair, and Mr. Reed reported, that they had gone through the bill without any amendment.

Whereupon, the said bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole, on the bill, to amend the several road laws in force in this state, so far as respects the county of Clarke—Mr. Pope in the chair—Mr. President resumed the chair, and Mr. Pope reported, that they had gone through the bill with amendments.

Whereupon, the said bill was read the third time and passed as amended.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Justices of the Inferior court of Elbert county, to build or erect a new court-house at any place in their discretion, within three hundred yards of where the old one now stands—Mr. Fleming in the chair—Mr. President resumed the chair, and Mr. Fleming reported, that they had gone through the bill with amendment.

Whereupon the said bill was read the third time, and passed.

Mr. Foster from the Committee of conference, reported—

The second joint committee of conference, to whom was referred the subject matter of difference in opinion between the two branches of the General Assembly on the 11th section of the 4th Division of the Penal Code, beg leave to submit the following report :

That viewing as they do, the present Laws of this state, intended to suppress gambling, and being of opinion that the section as passed by the Senate, together with the laws now in force is preferable to the one proposed by the House of Representatives, do therefore recommend that the House of Representatives do recede and concur with Senate.

The Senate took up the report, and on the question to agree thereto, the yeas and nays being required, are yeas 21—nays 4.

Those who voted in the affirmative, are Messrs.

Beasley,	Hardin,	T. Mitchell,
Blackshear,	Harris,	N. Mitchell,
Cleveland,	Hatcher,	Reed,
Cullens,	Henly,	Swain,
Fleming,	Hogg,	Talbot,
Foster,	Hudspeth,	Walker and
Griffin,	Knight,	Wimberly.

Those in the negative, are Messrs.

Burke, Montgomery, Pope and Wade.

A message from the House of Representatives by Mr. Turner, their Clerk :

Mr. President :

The House of Representatives have passed a resolution instructing our Representatives in Congress, to use their exertions to have repealed, the act allowing compensation to the members of Congress.

They have passed a resolution, that it would be premature at this time, to dispose of the tract of country, which is said to have been lately acquired from the Creek Indians—and

Have passed a resolution allowing to Thomas U. P. Charlton and Charles Harris a compensation for drafting the Penal Code, &c.—and

They have agreed to a 2d committee of conference on the bill, to reform the Penal Code, and have appointed a committee on their part.

They have passed the following bills from Senate :

The bill, to be entitled an act, to establish the site of the Public Buildings, in the county of Jones.

The bill, entitled an act, to amend the act of 1814, entitled an act, to authorise the collection of rents in the City of Augusta and the precincts thereof—and

The act, entitled an act, to divorce and separate Jeremiah Pitman and Delany Pitman his wife.

They have passed a bill, to alter and amend an act, incorporating the city of Augusta—and

They unanimously agree to the amendments suggested by His Excellency the Governor, to the bill to authorise the Trustees of the Richmond Academy, or their successors, to lay off a range of lots on Walker street, in the city of Augusta, &c—and he withdrew.

The Senate took up the message, and ordered that the resolution on the subject of the compensation law, do lie on the table.

They concur in the second resolution on the subject of Indian territory.

They have amended the resolution in favor of T. U. P. Charlton and Charles Harris, to read in the words following :

Resolved, That His Excellency the Governor be authorized to settle with T. U. P. Charlton & Charles Harris, for their service in compiling the Penal Code, out of the contingent fund of the year 1817, if the same has not been already done.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to levy a tax for the support of government, for the political year 1817—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the same without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1817—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported, that they had made progress and asked leave to sit again.

The Senate took up the report and agreed thereto.

Mr. Foster from the joint committee made the following report, to wit :

The committee whose duty it was made to examine the Penitentiary Edifice, have performed the duty assigned them—and

Report, that there are nineteen prison rooms & five solitary cells completely ready for the reception of convicts. The Store room in the third and Chapel in the second story, are nearly finished. The Keeper's apartments in the second and third stories, are in a state of forwardness, as to the wood-work.—Six small rooms for the accommodation of Inferior Officers are generally finished. The Keeper's Kitchen and Inspectors rooms are in a state of forwardness. The passages are for the most part finished, and the flights of stairs complete except the hand-railing.

The work-shops are in a very backward state, and the committee are apprehensive, that without great industry and exertions a considerable time must elapse before they can be finished.

The style and manner in which the work in the

Internal part of the Edifice has been executed, reflects credit on the Commissioners and Undertakers who deserve in the opinion of the Committee the approbation of the General Assembly.

Your committee recommend that the Commissioners proceed to the completion of the Edifice—which was read, and

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have disagreed to the report of the second committee of conference on the subject matter of disagreement, relative to the bill to reform the Penal Code, and do request a 3d committee of conference, and have appointed on their part, Messrs. Braitham, Tankersly, B. Williams, Jones and Grantland.

They have passed a bill from Senate to be entitled an act to incorporate the Trustees of Warrenton Academy in the county of Warren, with amendments—and

The bill to carry into effect the Penal Code of this state and the Penitentiary system founded thereon, also with amendments—and he withdrew.

The Senate took up the message, and concurred in a third committee of conference therein requested, and appointed on their part, Messrs. Foster, Blackshear, Walker, T. Mitchell and Wimberly.

Ordered, that the remainder of the message do lie on the table.

The death of the Honorable George G. Nowlan having been announced to the Senate,

Resolved, That the Hon. David Blackshear, the Hon. Mathew Talbot and the Hon. John M. Wade, be a committee to make arrangements for his interment.

The Senate then adjourned until three o'clock this evening.

3 o'clock, P. M.

On motion of Mr. Harris,

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That our Senators in Congress be instructed, and our Representatives requested to use their endeavors with the General Government to have the Port of Darien in this State, established as a port of entry.

And he it further resolved, That His Excellency the Governor be, and he is hereby requested to transmit copies of this resolution to our said Senators and Representatives.

The Senate took up the report of the committee

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of Finance, on the petition of William Stroud, and on the petition of J. Petit, which were read and agreed to.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to appropriate monies for the political year 1817—Mr. Talbot in the chair ; Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the said bill with amendments.

Ordered, that the report do lie on the table.

Mr. Newsom from the committee to examine the engrossed Journal of Senate, reported that they were entered correct up to Saturday the 14th instant.

The Senate took up the message of the House of Representatives of this day, and the amendment to the bill to incorporate the Warrenton Academy was agreed to.

They also took up the amendments made by the House of Representatives to the bill to carry into effect the Penal Code of this State and the Penitentiary system founded thereon, and they being severally read, were agreed to.

Mr. Montgomery called up the resolution appointing a Board of Inspectors for the Penitentiary, and its appurtenances, which was filled up to read in the words following :

Resolved, That Dr. Samuel Boykin, Dr. Tomlinson Fort, Tho's H. Kenan, John Howard, Zach. Lamar, G. R. Clayton, E. B. Jenkins, A. Hammond and Myles Greene be, and they are hereby appointed a Board of Inspectors for the Penitentiary and its appurtenances.

Mr. Foster from the third committee of conference reported, to wit :

The third committee of conference, to whom was referred the subject matter of disagreement between the two branches of the General Assembly, relative to the bill to be entitled an act to reform the Penal Code, &c. beg leave to recommend the following as a substitute in lieu of the section proposed by the two branches, to wit :

Any person who may be found playing or betting at any game with Cards, Dice, Checks, or any other instrument or article used in gambling, or which may hereafter be invented, or at any gaming place, or table of any description or name whatever, for money or property, (innocent games of amusement, where no person wins or loses not exceeding five dollars in any term of twenty-four hours, excepted) shall be indicted, and on conviction, be fined in any sum not less than fifty dollars, nor more than five hundred dollars, at the discretion of the Jury—one half to the benefit of the informer, and the other half for the use of the county where the offence may have been committed—*Provided nevertheless*, That running

of horses, shooting, or any other peaceful athletic exercise, shall not be deemed within the purview of this act; and the said report being read, was

Ordered to lie on the table.

Mr. Walker laid on the table the following resolution, which was read, and

Ordered to lie on the table, viz :

Whereas it ought ever to be the primary object of every republic, to foster, cherish and encourage the arts and sciences—particularly of our own country—and in order that our state may derive the advantages resulting from a Spinning Machine placed on a new construction, and of which Robert Todd, of the State of has obtained a patent from the General Government;

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly, That His Excellency the Governor be requested to contract with the Agent of the Patentee for the Patent right for this state.

A message from the House of Representatives by Mr. Turner their Clerk ;

Mr. President,

The House of Representatives have disagreed to the report of the third committee of conference, on the bill to reform the Penal Code of this State, and do request a fourth committee on the subject matter in dispute in said bill, and have appointed a committee on their part—and he withdrew.

The Senate took up the message and agreed to a fourth committee of conference and have appointed Messrs. Hudspeth, Hardin, Cleveland, N. Mitchell and Beasley, a committee on their part.

Mr. Newsom from the committee of enrolment reported as duly enrolled and signed by the Speaker, the following acts :

An act to legalize the proceedings of the Superior and Inferior courts of the respective counties in this state, and to render valid the acts of the public officers of the same,

An act to alter and change the names of certain persons therein mentioned.

An act to alter the time of holding the Superior courts in the Middle circuit of this state.

An act to alter the time of holding the Superior and Inferior courts in the county of Wilkes and the fall term of the Superior court in the county of Madison.

An act to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes therein mentioned.

An act to enable Daniel Hotchkiss, Reuben Taylor, William Gordon and John Fryer, the present proprietors of the line of Stages between the cities of Savannah and Augusta, to give security for running

said line of Stages for, and to the end of the time which right of running said line of Stages was granted to Lewis Calhoun and John Coats.

An act for the relief of Elisha Wright.

An act in addition to, and amendatory of an act to regulate attachments in this state.

An act to alter so much of an act, entitled an act to regulate the General elections in this state and appoint the time of the meeting of the General Assembly, so far as the same requires all General elections to be held at the place of holding the Superior courts.

An act to amend an act, entitled an act to keep open, remove and prevent obstructions in Savannah river, calculated to impede the free passage of fish, and for other purposes, passed the 10th December, 1812.

An act to amend an act, entitled an act to regulate the town of Lexington, passed on the 24th November, 1806—and an act to amend the same, passed the 27th November 1807, and for other purposes.

An act to authorise the Commissioners of the town of Milledgeville, to lease one acre of land of the town Commons.

An act to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy.

An act to amend an act, entitled an act to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University and to systemize the funds belonging thereto, passed the 16th December 1815, and to amend the several acts heretofore passed, for the more full and complete establishment of the public seat of learning in this state.

An act amendatory of the several acts relating to the town of Greensborough.

An act to repeal an act, to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions so as to prevent the free use of navigation of the same.

An act to vest the appointment of Commissioners of Academies, Vendue masters, Notaries Public and Lumber measurers in certain persons therein mentioned.

An act to amend an act to appoint Commissioners for the better regulation and government of the town of Washington, and for incorporating the same, passed the 7th of December 1805, and for other purposes therein mentioned.

An act to amend an act, entitled an act to cede that part of the unlocated Territory of this state, which

lies without the limits of the present counties to the county of Jasper, passed the 23d of November 1810—and

An act to alter and amend an act, entitled an act to alter and amend the 12th section of an act to protect the estates of Orphans and to make permanent provision for the poor—passed the 16th December, 1811.

Mr. Blackshear from the Committee appointed to make arrangements for the funeral and interment of the Honorable GEORGE G. NOWLAN, a Senator from the county of Effingham, reported the following resolutions.

Resolved, That the Senate deeply impressed with the sudden and unexpected dispensation of Providence, which hath deprived it of one of its most valuable members, will wear Crape on the left arm, during the remainder of the session, and for ten days thereafter, as a testimonial of the high respect for the deceased.

Resolved, That the said committee do in the name of the Senate, invite His Excellency the Governor, the Speaker and members of the House of Representatives, with all the Executive Officers, to attend the interment of the deceased, to-morrow at nine o'clock, A. M.

Resolved, That the Committee appointed do wait on the Rev'd. Myles Greene; and request him to attend on the said interment.

The committee appointed to make arrangements for, and superintending the funeral and interment of the remains of the Honorable GEORGE G. NOWLAN, report as follows :

That the procession be formed at 9 o'clock, to-morrow, A. M. near the State-House, and proceed to the place of interment, in the following order, to wit :

- 1st. Capt. Robert Samuel and his company of Infantry, with muskets to fire five minute platoons.
 - 2d. The Clergy and Physicians.
 - 3d. The *Corpse*.
 - 4th. The Chief Mourners.
 - 5th. The President and Senate, two and two.
 - 6th. The Governor and State Officers.
 - 7th. The Speaker and members of the House of Representatives, two and two.
 - 8th. The Citizens, two and two.
- Adjourned until to-morrow morning 10 o'clock.

TUESDAY, 17th December, 1816.

The bill to be entitled an act, to alter and amend an act, incorporating the City of Augusta, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to authorise Burt and others, to erect a Ferry, a cross Savannah river—Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported, that they had gone through the bill with amendments.

The Senate took up the amendments, and the same being read were agreed to.

Whereupon the said bill was read the third time and passed as amended.

The Senate took up the report of the committee of the whole on the bill, to be entitled an act, to levy a tax for the political year 1817, which being read, was agreed to.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1817—and the same being read was amended and agreed to.

Whereupon the said bill was read the third time and passed as amended.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have passed an act to alter and amend the third and eleventh sections of an act, to raise a tax for the support of Government, passed the 12th day of December, 1804—and he withdrew.

Ordered, that said message do lie on the table.

On motion of Mr. Cullens,

Resolved, That Messrs. Newsom, Henly, and Hatcher, be a committee to see the unfinished business of the Senate completed, and that they be allowed three days after the adjournment of the Legislature to do the same.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have passed the bill from Senate to be entitled an act for the trial and punishment of slaves, and free people of colour, with amendments—and he withdrew.

The Senate took up the message, and the amendments being read, were agreed to.

Mr. Hudspeth from the 4th committee of conference, on the bill to reform the Penal Code of this state, reported to wit :

Any person or persons who may be found playing at any game with cards, dice, checks, or at billiards, or any other instrument, article or articles, thing or things, whatsoever used, or which may

hereafter be used for the purpose of betting upon or winning, or losing money, or any other thing or things, article or articles of value, or any property of value whatsoever, or betting money or property, or article or articles, thing or things of value, on any of the games aforesaid, or which may be hereafter invented, may be indicted, and on conviction thereof, shall be fined in a sum not less than fifty dollars, nor more than five hundred dollars, as the Jury may recommend. One half for the benefit of the informer, and the other half for the use of the county, where the offence may have been committed.

Provided also, That this act shall not be construed to extend to horse racing, shooting with guns of any description used against an enemy, wrestling, jumping, foot racing, five playing, pitching with coits or dollars, or any other peaceable and any other civil or athletic exercise of man or men, not herein particularly enumerated.

And be it further enacted, that it shall be the duty of the Judges of the Superior Courts of this state at the opening or commencement of every Court to give in charge to the Grand Juries respectively, the substance and intention of the legislature, as contained in the several sections in this code, relative to gambling.

Ordered, that the report do lie on the table.

On motion of Mr. Talbot,

Resolved, That the sum of Ninety-Two Dollars be, and the same is hereby appropriated to defray the expence of entering the Honorable George G. Nowlan, a member of Senate from the county of Effingham, and that His Excellency the Governor be required to pay the same out of the contingent fund.

A message from the House of Representatives by Mr. Turner, their clerk :

Mr. President ;

The House of Representatives have agreed to the report of the 4th committee of conference on the bill to reform the Penal Code of this state—and he withdrew.

The Senate took up the message, and the report being read, on the question to concur in the report ? it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 7.

Those who voted in the affirmative are Messrs.

Beasley,	Hogg,	Newsom,
Burke,	Hudspeth,	Poppe,
Cleveland,	Knight,	Reed,
Cullens,	T. Mitchell,	Swain,
Foster,	N. Mitchell,	Wade and
Hardin,	Montgomery,	Wimberly.
Hatcher,		

Those in the negative are Messrs.
 Blackshear, Harris, Talbot and
 Fleming, Henly, Walker.
 Griffin,

On motion of Mr. Henly,

Resolved, That it is the opinion of Senate, that the committee appointed to inspect the accounts of the members and officers of Senate, ought to allow the two engrossing Clerks, three days to complete the unfinished business of the session.

A message from the House of Representatives, by Mr. Turner, their clerk :

Mr. President ;

I am directed by the House of Representatives, to inform the Senate, that the House of Representatives will be ready to adjourn on to-morrow, *sine die*.

The Senate took up the message, and agreed to the resolution.

On motion of Mr. Henly,

Resolved unanimously, That the thanks of Senate be, and they are hereby given to the Honorable William Rabun, for the able manner in which he has discharged the duties of President of this branch of the General Assembly.

The Senate then adjourned until to-morrow morning, 7 o'clock.

WEDNESDAY, 18th December, 1816.

A message from the House of Representatives by Mr. Turner their Clerk :

Mr. President ;

The House of Representatives have passed a resolution appointing a committee on their part, to join such as may be appointed on part of Senate, to see the great Seal of the State affixed to such laws as may remain in the Executive Department at the end of the present session, and to see the Journals of the two Houses brought up to the end of the session, and that they be allowed three days after the rising of the General Assembly for said purpose, and that the sum of three dollars be allowed them each per day—also the sum of four dollars each per day to the Secretary of the Senate and Clerk of the House of Representatives ; and the sum of four dollars to the Engrossing Clerk of the House of Representatives, and Engrossing Clerk of the Senate, for three days after the adjournment of the Legislature.

A resolution, that the Executive be, and he is hereby authorised and requested to pay James Rousseau, the sum of thirty-two dollars, out of the

contingent fund, as a compensation for enrolling the Penal Code.

A resolution requesting His Excellency the Governor to have published in the Georgia Journal (as early as possible, for the information of the people) the following acts, to wit:

An act to prevent the circulation of notes emitted by unchartered banks—to prohibit the issuing of due-bills, and to compel the chartered Banks to pay specie when the Bank of the U. S. and the Banks of the adjacent States shall commence specie payments.

An act to impose an additional tax on Pedlars and other itinerant traders.

An act for the trial and punishment of slaves and free people of color.

An act to prohibit slaves from selling certain commodities therein mentioned—and

An act to alter the times of holding the Superior courts of the Middle circuit of this state.

They have passed a resolution allowing James Lane further time to pay for fractions purchased by him—and he withdrew.

The Senate took up the message, and the resolutions therein contained were severally read and concurred in.

Mr. Montgomery from the committee appointed to examine the accounts of the members and officers of Senate, presented a warrant in due form on the Treasurer, which was received and signed by the President of Senate.

Mr. Newsom from the committee on enrolled bills, reported sundry acts as duly enrolled and signed by the Speaker, which were presented to and severally signed by the President of Senate.

Ordered, that the committee of enrolment do carry said acts to His Excellency the Governor for his revision.

The Senate took up the report of the committee appointed to examine the Penitentiary Edifice, which was read and concurred in.

On motion of Mr. Hudspeth,

Resolved, That a committee be appointed on part of Senate, to wait on His Excellency the Governor and inform him that the General Assembly are ready to adjourn *sine die*, and ascertain whether he has any further communication to lay before them.

Mr. Hudspeth from the joint committee appointed to wait on His Excellency the Governor have performed the duty assigned them, and received for answer that he has no further communication to lay before the General Assembly.

On motion,

Resolved, That the Secretary do inform the House of Representatives that the Senate are now ready to adjourn *sine die*.

A message from the House of Representatives by Mr. Turner, their Clerk:

Mr. President;

I am directed to inform the Senate that the House of Representatives are now ready to adjourn *sine die*—and he withdrew.

The President then adjourned the Senate without a day.

Attest,

WILL ROBERTSON,
Secretary.

F I N I S.

Rules of Senate .

1st. The President having taken the chair and a quorum being present, the journal of the preceding day shall be read.

2d. No member shall speak to another, or otherwise interrupt the business of Senate, or read any printed paper while the journal of public papers are reading, or when any member is speaking in debate.

3d. Each member, when he speaks, shall address the chair, standing in his place, and when he has finished, shall sit down.

4th. No member shall speak more than twice in any one debate, on the same day, without leave of Senate.

5th. When two members rise at the same time, the President shall name the person to speak; but in all cases, the member first rising, shall speak first.

6th. No motion shall be debated until the same be seconded.

7th. When a motion shall be made and seconded, it shall be reduced to writing, if required by the President or any member, delivered in at the table and read, before the same shall be debated.

8th. While a question is before Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn.

9th. The previous question being moved and seconded, the question from the chair shall be, shall the main question be now put? and if the nays prevail, the main question shall not then be put.

10th. If a question in debate contains several points, any member may have the same divided.

11th. When the yeas and nays shall be called for by two members, each member called upon, shall (unless excused by Senate) declare openly, and

without debate, his assent or dissent, to the question, and upon the call of the house, the members shall be taken by their names in alphabetical order.

12th. Any member intending to ask leave to bring in, or move for a committee to be appointed to report a bill, shall give, at least, one day's notice of such intention, and the title of such bill.

13th. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

14th. When a member shall be called to order, he shall sit down until the president shall have determined whether he is in order or not; and every question of order shall be decided by the president, without debate; but if there be a doubt in his mind, he shall call for the sense of Senate.

15th. If a member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the president may be better enabled to judge of the matter.

16th. When a blank is to be filled, and different sums and different days shall be proposed, the question shall be taken on the highest sum, and most distant day first.

17th. All petitions shall be numbered as they are received, and taken up and decided on in the same order, as they were received.

18th. No member shall absent himself from the service of Senate, without leave of Senate first obtained:

19th. The motion of adjournment shall be the first in order, without debate.

20th. No member shall leave his seat after adjournment, until the president shall have left the room.

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